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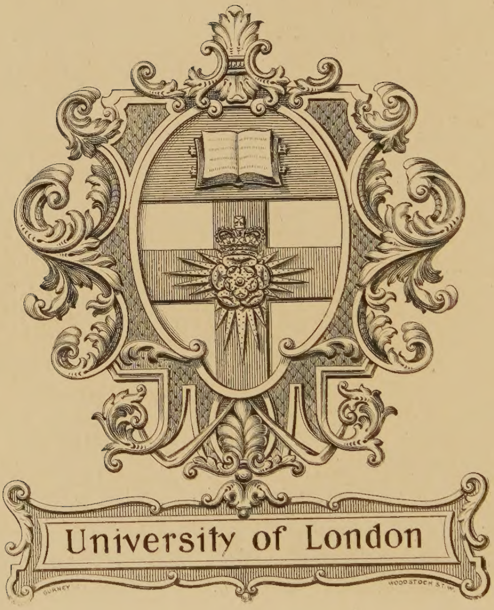

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FOR

OR

HANSARD'S

PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

45° VICTORIÆ, 1882.

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TO

THE SECOND DAY OF JUNE 1882.

Fourth Volume of the Session.

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Sea Fisheries (Ireland) Bill—*Ordered* (*Mr. Blake, Mr. Leamy, Mr. Sexton, Mr. O'Donnell, Mr. Barry, Mr. Healy, Mr. Corbett*); *presented,* and read the first time [Bill 158] 528

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UNIVERSITIES OF OXFORD AND CAMBRIDGE ACT, 1877 (LINCOLN COLLEGE STATUTES)—MOTION FOR AN ADDRESS—

Moved, "That an humble Address be presented to Her Majesty praying Her Majesty to withhold Her assent from the Statutes, now on the Table of this House, for Lincoln College, Oxford,"—(*The Lord Bishop of Lincoln*) 529

After short debate, on Question? their Lordships *divided;* Contents 71, Not-Contents 42; Majority 29.

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RUSSIA—THE AUSTRALIAN COLONIES—Question, Observations, The Earl of Belmore; Reply, The Earl of Kimberley 547

STRAITS SETTLEMENTS—ADDRESS FOR PAPERS—

Moved, "That an humble Address be presented to Her Majesty for copies of the despatch of the Governor of the Straits Settlements in reply to the Secretary of State's despatch of 30th September 1881, and of the Secretary of State's reply thereto,"—(*The Lord Stanley of Alderley*) 548

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COMMONS, FRIDAY, MAY 12.

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Egypt (Political Affairs)—Questions, Mr. Labouchere, Mr. Ashmead-Bartlett; Answers, Sir Charles W. Dilke 555

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Ireland—The Assassinations in the Phœnix Park, Dublin—Question, Mr. Macfarlane; Answer, The Attorney General for Ireland .. 559

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Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Grand Jury System (Ireland)—Resolution—Amendment proposed,

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Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided*; Ayes 118, Noes 24; Majority 94.—(Div. List, No. 78.)

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Vagrancy (England and Wales)—Observations, Sir Baldwyn Leighton; Reply, Mr. Dodson:—Short debate thereon 580

Patent Medicines—Observations, Mr. Warton, Dr. Farquharson; Reply, Mr. Hibbert 594

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SUPPLY—*considered* in Committee—Army Estimates.

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(2.) £37,200, Administration of Military Law.—After short debate, Vote *agreed to* .. 600
(3.) £300,800, Medical Establishment.—After short debate, Vote *agreed to* .. 603
(4.) Motion made, and Question proposed, "That a sum, not exceeding £492,000, be granted to Her Majesty, to defray the Charge for the Pay and Allowances of a Force of Militia, not exceeding 138,274, including 28,000 Militia Reserve, which will come in course of payment during the year ending on the 31st day of March 1883" 607
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After some time spent therein, it appearing on a Division that 40 Members were not present in the Committee, Mr. Speaker resumed the Chair:— [House counted out.]

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Moved, "That an humble Address be presented to Her Majesty praying Her Majesty to issue a Royal Commission to inquire into the best means of adjusting the boundaries of counties in England and Wales,"—(*The Earl Beauchamp*) 653

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Orders of the Day—

Ordered, That the Orders of the Day subsequent to the Order for the Committee on the Ballot Act Continuance Bill be postponed until after the Notice of Motion relating to Arrears of Rent in Ireland,—(*Mr. Gladstone*) 679

ORDER OF THE DAY.

Parliamentary Elections (Corrupt and Illegal Practices) Bill [Bill 21]—

Bill *considered* in Committee [*Progress 9th May*] 680

After long time spent therein, Committee report Progress; to sit again *To-morrow*, at Two of the clock.

MOTIONS.

Arrears of Rent (Ireland) Bill—

Ireland—Irish Policy of the Government—Release of Mr. Parnell and others.

Moved, "That leave be given to bring in a Bill to make provision respecting certain Arrears of Rent in Ireland,—(*Mr. Gladstone*) 767

After debate, Motion *agreed to*:—Bill to make provision respecting certain Arrears of Rent in Ireland, *Ordered* (*Mr. Gladstone, Mr. Secretary Childers, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*); *presented*, and read the first time [Bill 163.]

Local Government Provisional Order (Artizans' and Labourers' Dwellings) Bill—*Ordered* (*Mr. Hibbert, Mr. Dodson*); *presented*, and read the first time [Bill 162] 801

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Select Committee *nominated*:—List of the Committee 801

Printing—

Ordered, That a Select Committee be appointed to assist Mr. Speaker in all matters which relate to the Printing executed by Order of this House, and for the purpose of selecting and arranging for Printing, Returns and Papers presented in pursuance of Motions made by Members of this House:—List of the Committee 802

ORDERS OF THE DAY.

Public Offices Site Bill [Bill 111]—

Moved, "That the Bill be now read a second time,"—(*Mr. Shaw Lefevre*) 802

Motion *agreed to*:—Bill read a second time, and *committed* to a Select Committee.

Artillery Ranges Bill [Bill 125]—

Order for Committee read:—*Moved*, "That the Order for Committee be discharged, and that the Bill be referred to a Select Committee of Seven Members, Four to be nominated by the House, and Three by the Committee of Selection,"—(*Sir Arthur Hayter*) 802

Motion *agreed to*:—Order for Committee *discharged*.

Bill *committed* to a Select Committee of Seven Members, Four to be nominated by the House, and Three by the Committee of Selection.

Public Schools (Scotland) Teachers Bill [Bill 153]—

Moved, "That the Bill be now read a second time,"—(*Mr. Mundella*) .. 803

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

County Courts Act (1867) Amendment Bill [Bill 146]—

Moved, "That the Bill be now read a second time,"—(*Mr. Henry H. Fowler.*) 803

After short debate, *Moved*, "That the Debate be now adjourned,"—(*Sir Henry Fletcher*:)—Motion *agreed to*:—Debate *adjourned* till *Thursday*.

County Courts (Ireland) Bill [Bill 18]—

Order for Committee read

Ordered, That it be an Instruction to the Committee that they have power to make provision for the extension of the Equity jurisdiction of the Courts,—(*Mr. Findlater*) 805

Bill *considered* in Committee; Committee report Progress; to sit again upon *Thursday*.

LORDS, TUESDAY, MAY 16.

Imprisonment for Contumacy Bill (No. 19)—

Moved, "That the Bill be now read 2^a,"—(*The Lord Archbishop of Canterbury*) 806

Amendment *moved* to leave out ("now") and add at the end of the motion ("this day six months,")—(*The Lord Oranmore and Browne.*)

After short debate, on question that ("now") stand part of the motion, *resolved* in the *affirmative*:—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

Documentary Evidence Bill (No. 87)—

Moved, "That the Bill be now read 2^a,"—(*The Lord Thurlow*) .. 815

Motion *agreed to*:—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

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Municipal Corporations (Unreformed) Bill (No. 79)—
Moved, "That the Bill be now read 2ª,"—(*The Earl of Rosebery*) .. 816
After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

SALVATION ARMY—MOTION FOR AN ADDRESS—
Moved, "That an humble Address be presented to Her Majesty for, Copy of any authentic report that may exist of the proceedings in the case of the Queen against the Justices of the county of Southampton in the Court of Queen's Bench,—(*The Earl Fortescue*) 818
After short debate, Motion (by leave of the House) *withdrawn.*

IRELAND—ASSASSINATION OF MR. BURKE, THE LATE UNDER SECRETARY—PENSION TO MISS BURKE—Question, Observations, Lord Oranmore and Browne; Reply, Earl Granville 824

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QUESTIONS.

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Moved, "That this House do now adjourn,"—(*Mr. A. J. Balfour.*)
After long debate, it being ten minutes before Seven of the clock, the Debate stood adjourned till *this day.*

Land Drainage Provisional Order Bill—*Ordered* (*Mr. Hibbert, Secretary Sir William Harcourt*); *presented,* and read the first time [Bill 164] 896

Local Government (Ireland) Provisional Orders (No. 2) Bill—*Ordered* (*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*); *presented,* and read the first time [Bill 165] 896

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.
[House counted out.]

LORDS, WEDNESDAY, MAY 17.

Their Lordships met;—And having gone through the Business on the Paper, without debate— [House adjourned.]

COMMONS, WEDNESDAY, MAY 17.

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ORDERS OF THE DAY.

COMMITTEES—

Ordered, That Committees shall not sit To-morrow, being Ascension Day, until Two of the clock, and have leave to sit till Six of the clock, notwithstanding the sitting of the House,—(*Mr. Gladstone.*)

Poor Removal (Ireland) (No. 2) Bill [Bill 91]—

Moved "That the Bill be now read a second time,"—(*Sir Hervey Bruce*) 897
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Cochran-Patrick.*)
Question proposed, "That the word 'now' stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 91, Noes 172; Majority 81.—(Div. List, No. 86.)
Words *added:*—Main Question, as amended, put, and *agreed to:*—Second Reading *put off* for six months.

Allotments Bill [Bill 90]—

Moved, "That the Bill be now read a second time,"—(*Mr. Jesse Collings*) 941
After short debate, Motion *agreed to:*—Bill read a second time, and *committed* for *Wednesday* 7th June.

Arklow Harbour Bill [Bill 137]—

Order for Consideration read 946
After short debate, Bill, as amended, *considered;* to be read the third time *To-morrow.*

Copyright (Works of Fine Art, &c.) Bill [Bill 119]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. Hastings*) 948
After short debate, it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

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IRELAND—ARRESTS IN COUNTY LOUTH—Question, Mr. Callan; Answer, The Attorney General for Ireland 953

CRIMINAL LAW (IRELAND)—MR. PHILIP BRANIGAN—Question, Mr. Callan; Answer, The Attorney General for Ireland 954

Moved, "That this House do now adjourn,"—(*Mr. Callan*:)—Question put, and *negatived*.

NAVY—THE CHANNEL SQUADRON—Question, Mr. Donaldson-Hudson; Answer, Mr. Campbell-Bannerman 955

WAYS AND MEANS—THE CARRIAGE DUTIES—MAIN ROADS (SOUTH WALES) —Question, Viscount Emlyn; Answer, Mr. Dodson 955

ARREARS OF RENT (IRELAND) BILL—RELIEF OF DESTITUTION—Question, Mr. Brodrick; Answer, Mr. Gladstone 956

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR. SHERIDAN—Questions, Mr. Stanley Leighton; Answers, The Attorney General for Ireland, Mr. Gladstone 957

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PARLIAMENT—THE WHITSUNTIDE RECESS—Questions, Sir Stafford Northcote, Sir R. Assheton Cross, Mr. Anderson, Mr. R. H. Paget; Answers, Mr. Gladstone 958

LAND LAW (IRELAND) ACT, 1881—SECTION 21—Question, Mr. Healy; Answer, Mr. Gladstone 960

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Prevention of Crime (Ireland) Bill [Bill 157]—

Moved, "That the Bill be now read a second time,"—(*Sir William Harcourt*) 961

After long debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Sexton*:)—Motion *agreed to*:—Debate *adjourned* till *To-morrow*, at Two of the clock.

Arklow Harbour Bill [Bill 137]—

Moved, "That the Bill be now read the third time,"—(*Mr. Herbert Gladstone*) 1048

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Dillwyn.*)

Question proposed, "That the word 'now' stand part of the Question:" —After short debate, Amendment, by leave, *withdrawn*:—Main Question put, and *agreed to*:—Bill read the third time, and *passed*.

County Courts (Ireland) Bill [Bill 18]—

Bill *considered* in Committee [*Progress* 15*th May*] 1052

After short time spent therein, Bill *reported*; as amended, to be considered upon *Monday* next, and to be *printed*. [Bill 169.]

Metropolis Management and Building Acts Amendment Bill [Bill 107]—

Bill *considered* in Committee [*Progress* 12*th May*] 1058

After short time spent therein, Bill *reported*; as amended, to be considered *To-morrow*, at Two of the clock.

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LORDS, FRIDAY, MAY 19.

IRELAND—IRISH POLICY OF THE GOVERNMENT—RELEASE OF MR. PARNELL AND OTHERS—Observations, Question, Lord Oranmore and Browne; Reply, Lord Carlingford 1066

ELEMENTARY EDUCATION—RESOLUTION—

Moved, "That the Education Code for 1883 be referred to a committee to consider whether it might not be possible more effectually to carry out its professed intention of simplification of the Code, and remove the serious defects in the mode of distribution of the grants in aid, and prevent the perpetual changes against which complaints increasingly come from those engaged in the work of national elementary education,"—(*The Lord Norton*) 1067

After short debate, Motion (by leave of the House) *withdrawn*.

Places of Public Worship Sites Amendment Bill (No. 77)—

Moved, "That the Bill be now read 2^a,"—(*The Lord Aberdare*) .. 1085

Motion *agreed to*:—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

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COMMONS, FRIDAY, MAY 19.

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ORDERS OF THE DAY.

—:o:—

Prevention of Crime (Ireland) Bill [Bill 157]—

Order read, for resuming Adjourned Debate on Question [18th May], "That the Bill be now read a second time:"—Question again proposed:—Debate *resumed* [Second Night] 1096

After long debate, Question put:—The House *divided;* Ayes 383, Noes 45; Majority 338.

Division List, Ayes and Noes 1145

Bill read a second time, and *committed* for *Tuesday* next, at Two of the clock.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Opening of National Museums, &c. on Sunday—Resolution—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "seeing the success which has attended the action of Her Majesty's Government in opening on Sundays the National Museums and Galleries in the suburban districts of London and in the city of Dublin, this House is of opinion that the time has arrived for extending this action to all Museums and Galleries supported by National funds,"—(*Mr. George Howard*) 1148

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 208, Noes 83; Majority 125.—(Div. List, No. 88.)

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY — *considered* in Committee — Civil Services and Revenue Departments—

(In the Committee.)

Motion made, and Question proposed, "That a further sum, not exceeding £2,137,750, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services and Revenue Departments for the year ending on the 31st day of March 1883" 1190

[Then the several Services are set forth.]

After short debate, Motion made, and Question proposed, "That a sum, not exceeding £2,134,750, be granted, &c.,"—(*Mr. Arthur O'Connor:*)—After further short debate, Question put:—The Committee *divided:* Ayes 17, Noes 113; Majority 96.—(Div. List, No. 89.)

Original Question again proposed 1201

Motion made, and Question proposed, "That a sum, not exceeding £2,134,625, be granted, &c.,"—(*Mr. Dillon:*)—After short debate, *Moved,* "That the Chairman

UPPLY—CIVIL SERVICES AND REVENUE DEPARTMENTS—Committee—*continued.*

do report Progress, and ask leave to sit again,"—(*Mr. Biggar* :)—After further debate, Motion, by leave, *withdrawn.*

Question put, "That a sum, not exceeding £2,134,625, be granted, &c.,"—(*Mr. Dillon* :)—The Committee *divided;* Ayes 14, Noes 83; Majority 69.—(Div. List, No. 90.)

Original Question again proposed 1220

After short debate, Original Question put:—The Committee *divided;* Ayes 57, Noes 13; Majority 44.—(Div. List, No. 91.)

Resolutions to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

Local Government (Ireland) Provisional Orders (No. 3) Bill—*Ordered* (*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*); *presented,* and read the first time [Bill 172] 1224

LORDS, MONDAY, MAY 22.

PRIVATE AND PROVISIONAL ORDER CONFIRMATION BILLS—

Ordered, That Standing Orders Nos. 92. and 93. be suspended; and that the time for depositing petitions praying to be heard against Private and Provisional Order Confirmation Bills, which would otherwise expire during the adjournment of the House at Whitsuntide, be extended to the first day on which the House shall sit after the recess.

Union of Benefices (London) Bill (No. 61)—

Order of the Day for the House to be put into Committee read .. 1225

After short debate, House in Committee.

Amendments made; the Report thereof to be received on *Tuesday* the 6*th of June* next; and Bill to be *printed,* as amended. (No. 101.)

Pluralities Acts Amendment Bill (No. 74)—

House in Committee (according to Order) 1229

Amendments made; the Report thereof to be received on *Tuesday* the 13*th of June* next; and Bill to be *printed,* as amended. (No. 102.)

Railways (Continuous Brakes) Bill (No. 21)—

Moved, "That the House do now resolve itself into Committee,"—(*The Earl De La Warr*) 1231

Previous question *moved,*—(*The Lord Colville of Culross* :)—After short debate, Previous question put, Whether the said question shall be now put?—*Resolved* in the *negative.*

EGYPT (POLITICAL AFFAIRS)—MOTION—

Moved, "For further correspondence upon Egypt,"—(*The Lord Stratheden and Campbell*) 1241

After short debate, Motion (by leave of the House) *withdrawn.*

Boiler Explosions Bill (No. 85)—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Derby*) .. 1244

After short debate, Motion *agreed to* :—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* the 12*th of June* next.

IRELAND—IRISH POLICY OF THE GOVERNMENT—RELEASE OF MR. PARNELL AND OTHERS—Postponement of Question, The Marquess of Waterford; Observations, Earl Granville, The Marquess of Salisbury .. 1245

Moved, "That this House, on rising, do adjourn to Thursday the 1st of June next,"—(*The Earl Granville* :)—On question, *agreed to.*

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Afghanistan—Afzul Khan's Mission to Cabul—Question, Mr. Onslow; Answer, The Marquess of Hartington 1255
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Post Office—Auxiliary Letter Carriers—Question, Baron Henry De Worms; Answer, Mr. Fawcett 1257
Protection of Person and Property (Ireland) Act, 1881—Lawrence Halpin and Hugh Smith—Question, Mr. Sheil; Answer, Mr. Trevelyan 1257
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ORDERS OF THE DAY.

Arrears of Rent (Ireland) Bill [Bill 163]—

Moved, "That the Bill be now read a second time,"—(*Mr. Gladstone*) .. 1268

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient to charge the Consolidated Fund with any payment, except by way of loan, in respect of arrears of rent in Ireland,"—(*Mr. Sclater-Booth,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, *Moved*, "That the Debate be now adjourned,"—(*Baron Henry De Worms:*)—After further short debate, Question put:—The House *divided;* Ayes 140, Noes 290; Majority 150.—(Div. List, No. 92.)

Original Question again proposed 1353

Moved, "That this House do now adjourn,"—(*Mr. Chaplin:*)—After debate, Question put:—The House *divided;* Ayes 135, Noes 272; Majority 137.—(Div. List, No. 93.)

Original Question again proposed 1367

Moved, "That the Debate be now adjourned,"—(*Sir Herbert Maxwell:*)—After short debate, Question put, and *agreed to:*—Debate *adjourned* till *To-morrow,* at Two of the clock.

SUPPLY—REPORT—Resolution [19th May] *reported* 1381

Resolution *brought up*, and read the first time:—*Moved*, "That the said Resolution be now read a second time."

After debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Redmond:*)—After further short debate, Motion, by leave, *withdrawn:*—Original Question put, and *agreed to:*—Resolution *agreed to.*

Irish Reproductive Loan Fund Act (1874) Amendment Bill [Bill 133]—

Order read, for resuming Adjourned Debate on Question [9th May], "That Mr. Speaker do now leave the Chair:"—Debate *resumed* .. 1396

Main Question put, and *agreed to:*—Bill *considered* in Committee.

Bill *reported;* as amended, to be considered upon *Thursday.*

County Courts (Ireland) Bill [Bill 169]—

Order for Consideration, as amended, read 1396

After short debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Arthur O'Connor.*)

Motion *agreed to:*—Consideration, as amended, *deferred* till *Thursday.*

Poor Law Guardians (Ireland) Bill [Bill 7]—

Bill *considered* in Committee [*Progress 9th May*] 1397

Committee report Progress; to sit again *To-morrow.*

MOTIONS.

Local Government (Ireland) Provisional Order (No. 4) Bill—*Ordered (Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland)*; *presented*, and read the first time [Bill 173] 1398

Local Government Provisional Orders (No. 9) Bill—*Ordered (Mr. Hibbert, Mr. Dodson)*; *presented*, and read the first time [Bill 174] 1398

COMMONS, TUESDAY, MAY 23.

QUESTIONS.

Criminal Law (Scotland)—Pollockshields Public School—Question, Dr. Cameron; Answer, The Lord Advocate 1399

Post Office—Stafford Post Office—Question, Mr. M'Laren; Answer, Mr. Fawcett 1400

Coolie (Indian) Emigration to La Reunion—Question, Mr. Cropper; Answer, The Marquess of Hartington 1400

Law and Justice (Ireland)—Mr. Lefroy, County Court Judge for Down—Question, Mr. Biggar; Answer, The Attorney General for Ireland 1401

Criminal Law—Michael Davitt—Questions, Mr. Gorst, Mr. Joseph Cowen; Answers, Sir William Harcourt 1401

State of Ireland—The Affray at Ballina—Questions, Mr. O'Connor Power; Answers, The Attorney General for Ireland, Mr. Trevelyan .. 1403

Protection of Person and Property (Ireland) Act, 1881—Mrs. Moore, Miss Kirk, and Miss O'Connor—Question, Mr. Labouchere; Answer, Mr. Trevelyan 1404

Egypt (Political Affairs)—Questions, Mr. G. W. Elliot, Sir Wilfrid Lawson; Answers, Sir Charles W. Dilke 1404

Ireland—Irish Policy of the Government—Release of Mr. Parnell and others—Question, Sir H. Drummond Wolff; Answer, Mr. Gladstone 1405

Science and Art—The Orkney Sagas—Question, Mr. Thorold Rogers; Answer, Mr. Courtney 1407

MOTION.

Parliament—Business of the House—Arrangement of Public Business—The Derby Day—Motion for Postponement of Orders of the Day—

Question, Mr. Chaplin; Answer, Mr. Gladstone 1408

Moved, "That the several stages of the Prevention of Crime (Ireland) Bill and the Adjourned Debate on the Second Reading of the Arrears of Rent (Ireland) Bill, have precedence of all Orders of the Day and Notices of Motions, from day to day, until the House shall otherwise order,"—(*Mr. Gladstone.*)

After short debate, Amendment proposed, to leave out the words "the several stages of the Prevention of Crime (Ireland) Bill and,"—(*Mr. Healy.*)

Question proposed, "That the words proposed to be left out stand part of the Question:"—Question put:—The House *divided;* Ayes 228, Noes 31; Majority 197.—(Div. List, No. 95.)

Amendment proposed, to leave out the words "Adjourned Debate on Second Reading of the,"—(*Sir George Campbell.*)

PARLIAMENT—BUSINESS OF THE HOUSE—RESOLUTION—*continued.*

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put:—The House *divided;* Ayes 250, Noes 35; Majority 215.—(Div. List, No. 96.)

Main Question proposed 1417

After short debate, Main Question put:—The House *divided;* Ayes 254, Noes 15; Majority 239.—(Div. List, No. 97.)

ORDERS OF THE DAY.

* * *

Arrears of Rent (Ireland) Bill [Bill 163]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [22nd May], "That the Bill be now read a second time:"—Question again proposed, "That the words proposed to be left out stand part of the Question:"—Debate *resumed* 1420

After debate, Question put:—The House *divided;* Ayes 296, Noes 181; Majority 115.—(Div. List, No. 98.)

Main Question put, "That the Bill be now read a second time:"—The House *divided;* Ayes 269, Noes 157; Majority 112.

Division List, Ayes and Noes 1445

Bill *committed* for *Thursday.*

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

Prevention of Crime (Ireland) Bill [Bill 157] [FIRST NIGHT]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Sir William Harcourt*) 1448

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "while this House is desirous of aiding Her Majesty's Government in any measures which they can show to be necessary to adopt for preventing, detecting, and punishing crime, it disapproves of restrictions being imposed on the free expression of public opinion in Ireland,"—(*Mr. Joseph Cowen,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Dillon:*)—Motion *agreed to:*—Debate *adjourned* till *To-morrow.*

PREVENTION OF CRIME (IRELAND) [ALLOWANCES AND EXPENSES)—

Considered in Committee 1506

Moved, "That it is expedient to authorise the payment, out of the Consolidated Fund of the United Kingdom, or out of moneys to be provided by Parliament, of allowances to Judges; and remuneration to persons appointed to investigate claims for compensation, as well as of allowances to officers and others, and of any expenses which may become payable under the provisions of any Act of the present Session for the Prevention of Crime in Ireland,"—(*Mr. Trevelyan.*)

After short debate, Question put:—The Committee *divided:*—Ayes 92, Noes 21; Majority 71.—(Div. List, No. 100.)

Resolution to be reported *To-morrow.*

Poor Law Guardians (Ireland) Bill [Bill 7]—

Bill *considered* in Committee [*Progress 22nd May*] 1511

After some time spent therein, Bill *reported;* as amended, to be considered *To-morrow.*

MOTIONS.

Local Government (Ireland) Provisional Orders (No. 5) Bill—*Ordered* (*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*); *presented*, and read the first time [Bill 175] 1529

Metropolitan Board of Works (Money) Bill—*Ordered* (*Mr. Courtney, Lord Richard Grosvenor*); *presented*, and read the first time [Bill 176] 1530

Aldershot Camp Roads Bill—*Ordered* (*Mr. Secretary Childers, Sir Arthur Hayter*); *presented*, and read the first time [Bill 177] 1530

Quarter Sessions Procedure (Amendment) Bill—*Ordered* (*Mr. Hastings, Mr. Richard Paget, Mr. Gurdon*); *presented*, and read the first time [Bill 178] .. 1530

COMMONS, WEDNESDAY, MAY 24.

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IRELAND—RESIGNATION OF THE LORD LIEUTENANT AND CHIEF SECRETARY—Personal Explanation, Mr. W. E. Forster:—Short debate thereon .. 1530

CRIME (IRELAND)—RETURN OF TRIALS FOR TREASON AND TREASON-FELONY—Question, Mr. Biggar; Answer, Mr. Trevelyan 1533

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR. WILLIAM FENIX AND MR. THOMAS BRENNAN—Questions, Mr. Biggar; Answers, Mr. Trevelyan 1533

PARLIAMENT—PUBLIC BUSINESS—THE WHITSUNTIDE RECESS—Question, Sir Stafford Northcote; Answer, Mr. Gladstone 1534

ORDERS OF THE DAY.

Prevention of Crime (Ireland) Bill [Bill 157]—ADJOURNED DEBATE. [SECOND NIGHT]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [23rd May], "That Mr. Speaker do now leave the Chair:"—Question again proposed, "That the words proposed to be left out stand part of the Question:"—Debate *resumed* 1534

After long debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Parnell:*)—Question put, and *agreed to*:—Debate *adjourned* till *To-morrow*.

Supreme Court of Judicature Acts Amendment Bill [Bill 154]

Bill *considered* in Committee 1590

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*The Solicitor General:*)—After short debate, Question put, and *agreed to*:—Committee report Progress, to sit again *To-morrow*.

Local Government Provisional Order (No. 10) Bill—*Ordered* (*Mr. Hibbert, Mr. Dodson*); *presented*, and read the first time [Bill 181] 1590

Sale of Intoxicating Liquors on Sunday Bill—*Ordered* (*Mr. Stevenson, Mr. Birley, Mr. William M'Arthur, Mr. Charles Wilson, Mr. Walter James, Mr. Charles Ross*); *presented*, and read the first time [Bill 182] 1591

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Criminal Law (Ireland)—Trials for Treason—Question, Mr. Healy; Answer, Mr. Trevelyan 1616

ORDERS OF THE DAY.

Prevention of Crime (Ireland) Bill [Bill 157]—Adjourned Debate. [Third Night]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [23rd May], "That Mr. Speaker do now leave the Chair:"—Question again proposed, "That the words proposed to be left out stand part of the Question:"—Debate *resumed* 1617

After long debate, Question put:—The House *divided;* Ayes 344, Noes 47; Majority 297.—(Div. List, No. 101.)

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee; Committee report Progress; to sit again *To-morrow*, at Two of the clock.

Conveyancing Bill [*Lords*] [Bill 121]—

Moved, "That the Bill be now read a second time,"—(*Mr. H. H. Fowler*) 1692

After short debate, Motion *agreed to:*—Bill read a second time, and *committed* to a Select Committee.

County Courts (Ireland) Bill [Bill 169]—

Bill, as amended, *considered* 1692

After short debate, Bill to be read the third time *To-morrow*, at Two of the clock.

Supreme Court of Judicature Acts Amendment Bill—

Bill *considered* in Committee [*Progress 24th May*] 1693

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Attorney General:*)—After short debate, Motion *agreed to:*—Committee report Progress; to sit again upon *Monday* 5th June.

Middlesex Land Registry Bill—*Ordered* (*Mr. Hopwood, Sir Thomas Chambers, Mr. Gregory, Sir Sydney Waterlow*); *presented*, and read the first time [Bill 184] .. 1697

HANSARD'S
PARLIAMENTARY DEBATES,

IN THE

THIRD SESSION OF THE *TWENTY-SECOND PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 29 APRIL, 1880, IN THE FORTY-THIRD
YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

FOURTH VOLUME OF SESSION 1882.

HOUSE OF COMMONS,

Wednesday, 3rd *May*, 1882.

MINUTES.]—SELECT COMMITTEE—*Report*—Turnpike Acts Continuance [No. 178].
PUBLIC BILLS—*Ordered—First Reading*—Tramways Provisional Orders (No. 2) * [149].
Second Reading—Church Patronage [53], *debate adjourned;* Irish Reproductive Loan Fund Act (1874) Amendment * [133].
Third Reading—Roads Provisional Order (Edinburgh) * [139], and *passed.*
Withdrawn—Board Schools (Scotland) [49].

ORDERS OF THE DAY.

BOARD SCHOOLS (SCOTLAND) BILL.

(*Sir Herbert Maxwell, Mr. Orr Ewing, Captain Heron-Maxwell.*)

[BILL 49.] SECOND READING.

Order for Second Reading read.

SIR HERBERT MAXWELL, in moving that the Bill be now read a second time, said, the object he had in doing so was to remove a grievance that had been very generally felt by the teachers of board schools in Scotland since the passing of the Act of 1872. That grievance had been, to a certain extent, foretold during the debates on that measure, and he thought he would be able to satisfy the House that some amendment of the existing law was desirable. He thought it was generally admitted on both sides of the House that the teachers, as a class, ought to be relieved from all unmerited harassment or disturbance in the discharge of their most important duties; and he was glad that, in moving the second reading of this Bill, he should not have to adopt any arguments of a Party character. A glance at the back of the Bill would show the names of two Members on that side of the House and one Member on the other side, while the opposition which had been given to the Bill came, on the one hand, from a Liberal Member, the hon. Member for Glasgow (Mr. Anderson), and, on the other hand, from the hon. Baronet the Member for Coleraine (Sir Hervey Bruce). He could understand the opposition of the hon. Member for Glasgow, because they had only to remember the remarks he had made in the debates on the Act of 1872 to ascertain that he was then unfavourable to any measure of freedom in that respect, and there was no reason to suppose that he had since changed his views. But he could not understand the opposition of the hon. Baronet the Member for Coleraine, unless it consisted in the fact that he himself (Sir Herbert Maxwell) had thought it his duty to give Notice of opposition to a Bill which the hon. Baronet had in charge. He was quite aware that the present Bill had excited considerable agitation in the minds of members of school boards and others in Scotland; but he might claim considerable sympathy with members of school boards in the discharge of their difficult and very often delicate duties. He himself had been Chairman of a school board since the passing of the Act of 1872, and had had a fair experience of the difficulties arising, not only in the ordinary discharge of their duties, but specially in the very point which was raised in relation to this Bill, in regard to the fixity of tenure which was enjoyed by teachers under the previous Act, and he was therefore able to speak with some knowledge of the subject. The right hon. Gentleman (Mr. Mundella) had animadverted very strongly on the carelessness with which this Bill had been drafted when addressing a deputation which had waited upon him a few days ago. For instance, in one clause it was made to appear as if the teacher had his residence "in a registered letter." He had no excuse to offer for these errors. They did not affect the provisions of the Bill; but, still, he admitted that the measure being under his charge, he ought to have seen that it was accurately drafted. The Bill differed very considerably from the Bill he had introduced last Session. That measure was introduced at a very late period of the Session, its preparation having been delayed by him in the hope that the Government might be induced, in view of certain occurrences which had taken place, to take up the amendment of the law themselves. The Bill of last Session provided that an appeal should be made to the Sheriffs. All reference to the Sheriff it had been thought advisable to remove from this Bill, as the Department might be considered to be the proper tribunal for such an appeal, being specially conversant with educational matters. Previous to the Act of 1872, the teachers of parochial schools in Scotland practically enjoyed fixity of tenure. They held their office *ad vitam aut culpam*, and could only be removed on grave charges of immorality, or utter incompetence or inefficiency. It was very far from his desire to revert to anything like the old system of fixity of tenure; he should be acting contrary to his own experience as a member or Chairman of a school board if he proposed anything of the kind. But it seemed to him that in the alteration of the law which took place in 1872, in the complete reversal of the position of the teachers under the new Act, the Government of the day had fallen into an error in the other extreme. The new Act had made the labours of the teachers infinitely more arduous than before, and it, at the same time, made their position more insecure. On the introduction of the Bill in 1872 the hon. Baronet the Member for North Lanarkshire (Sir Edward Colebrooke) moved an Amendment to the effect that no removal of a teacher should take place except with the approval of the Education Department, and that proposal was discussed; but it was discussed upon a total misapprehension as to what was contained in the clause the Amendment referred to. The putative father of the Act of 1872 was Lord Advocate Young, now Lord Young; but there was no doubt that the real framer of the Bill was his Secretary, Mr. Craig Sellar. ["No, no!"] Well, he was stating his conviction and that of a great many gentlemen who were in a position to know. ["No, no!"] At all events, Mr. Craig Sellar was Secretary to the Lord Advocate, and was intimate with the provisions of the Bill, and immediately after it became law he published a handbook explaining the provisions of the Bill. The first edition of that handbook contained a note on the Removal Clause to this effect—

> "School boards and teachers will now be able to make whatever agreements they may please with regard to permanency of tenure."

He considered it was a matter of free contract between the school boards and the teachers. But in the second edition of the book that note was deleted; and he confessed that, as the result of that clause, school boards could grant no tenure except during their own pleasure. If a misapprehension as to the bearing of that clause had existed in the mind of Mr. Craig Sellar, it probably existed in the minds of many other Members of that House. A division was taken on the Amendment to which he had referred—for the Amendment, 42; against, 84. But among the minority who voted for giving the teachers an appeal to the Education Department were the right hon. Gentleman now Chairman of Committees (Mr. Lyon Playfair), the hon. Member for Perth (Mr. C. S. Parker), the hon. Member for Linlithgow (Mr. M'Lagan), and the hon. Member for Wick (Mr. Pender). He would be curious to know whether the working of the Act during the last 10 years had so altered their views that they would not be able to follow him into the Lobby on the second reading of the Bill. He would endeavour to show how not only the interests of the teacher, but also of the taught, had been rendered insecure. "Who drives fat cattle should himself be fat." What he meant was that no teacher could discharge his duties with any degree of benefit to his pupils unless he enjoyed a reasonable degree of security in his office. In Scotland tradition had for many centuries given teachers a social status which had been admirably upheld by them as a body, but which had been impaired during the last 10 years. School boards in Scotland had been successful in discharging their duties with impartiality and efficiency as a rule. But there had been exceptions, and it would be his duty to call the attention of the House to the circumstances attending a few of these cases. He begged it to be distinctly understood that he was making no charge against the school boards. He only desired an alteration of the law, which should prevent school boards from falling into error, as it seemed to him they had done in several instances, and in one or two painful instances they seemed to have been actuated by motives which, if they had had an opportunity of reconsideration, they would themselves have been the first to condemn and repudiate. The first case to which he would call the attention of the House was one that had occurred in his own county—Wigtownshire—and was known as the Leswalt case; and here he might say that the Chairman of the board was a personal friend of his own, and he was speaking from his own knowledge when he said that nothing could be further from that gentleman's character than any measure consciously of oppression or injustice. The school board of Leswalt consisted of five members. A meeting was held about a year or 18 months ago. There was no notice of the business to be transacted at the meeting. Three members—a bare quorum—were present. One of the members rose and moved that the teacher of the principal public school should receive three months' notice of dismissal. Another member seconded the motion. The third member protested. The Chairman declared the motion carried, whereupon the third member withdrew from the room, intimating his resignation of his seat. These were the bare facts of the case, which he believed were not contested. Was it right, he asked, that a person who had attained a public position, after a life-long preparation of a very expensive character, should have his position imperilled by a catch decision of a bare quorum of the school board? Had it not happened that a vacancy occurred in an adjacent parish, where the circumstances of the case were fully known, that teacher, whom he believed to be a most efficient and deserving man, might have been still in vain seeking a livelihood. So much greater was the supply of teachers than the demand that the fact of a man's having been dismissed would be almost fatal to his chances of getting a new appointment. In the Old Meldrum case, it appeared the teacher was in the habit of supplying stationery—copy-books, pens, and ink—to the children, and one or two tradesmen in the village objected to this. Upon a new election of the school board, one of those tradesmen obtained a seat upon the board. The result was that the teacher was dismissed—for what cause he left the House to judge. It appeared from the minutes of the board that the teacher had requested to know the reason of his dismissal, on which the board had expressed themselves unwilling to give any reason for dismissing him, on the ground that the agreement he had made with the board was that his appointment should be terminable at three months' notice, and the board were not compelled to give reasons for their action. Now, the dismissal of a teacher was one of the most important questions that could be considered by a school board, and it ought not to be undertaken except for very grave reasons; and what were they to think of a board withholding from the teacher and the public all reasons why such an important step was taken? The third and last case with which he would trouble the House was the Scone case. He could not speak from personal knowledge of this case, which had occurred quite recently; but here was the statement as supplied to him—

> "The principal teacher there was an excellent teacher, and an exemplary man, and was a member of the Established Church, the Chairman of the board being a Free Churchman. Some time ago the assistant was convicted in the Sheriff Court of cruelty to a child. The school board was sectarian in its character. Soon after the conviction of the assistant the Chairman moved that the principal teacher should be removed from his office on the ground of defective discipline. As the time of the board's existence was near a close, in order to accomplish their object within their time, the notice to quit was shortened by the board to two months. Meantime the assistant, who was the offender, retained his office. This was an extraordinary illustration of vicarious punishment."

The facts had not been denied. It was a very grave charge to bring against a school board that they were actuated by such petty motives as those differences, especially in Scotland, where differences between the Established Church and other branches of the Presbyterian Church were so microscopic and inscrutable. But it would be impossible for any practical man to deny that these bitternesses and acerbities did exist. At every school board election, when the names of the candidates were published, after the name of each the letters "F.C.," "E.C.," "U.P.," and so on were printed, to signify the different sections of the Presbyterian Church to which they belonged. These initials were intended to attract the support of the members of those respective Bodies. He was quite aware it would be said that these initials were first used in consequence of the "Conscience Clauses" of the Act; but the fact remained, and would not be disputed by any practical man, that school board elections in Scotland were generally, or at all events frequently, conducted on the ground of religious differences, and everybody knew what religious differences led to. He thought the House would, therefore, at once see that an opportunity ought to be given to the members of school boards to refute those grave charges that were brought against them, of punishing their schoolmasters for those religious differences, as alleged in two out of the three instances he had given. Another point was that very often in rural districts the administration of the Compulsory Clauses of the Act depended upon the schoolmaster, and the parents, who resented the interference of the teacher, were apt to take their revenge at election time. He saw a look of incredulity on the face of the right hon. Gentleman (Mr. Mundella). But if he had been so long resident as he (Sir Herbert Maxwell) had been in local districts in Scotland, he would know that he was talking of matters of every day occurrence. [Mr. RAMSAY: No, no.] No doubt the right hon. Gentleman would tell him that he was not prepared to interfere to the extent proposed in this Bill with the local government of the school boards, and that it was very undesirable, having set up a means of local government, to interfere with it from headquarters. But he was not asking the Department to interfere with school boards any more, nor even as much as, the Board of Supervision interfered with parochial boards in Scotland. No Poor Inspector or Registrar could be dismissed without the consent of the Board of Supervision; and he held that in the case of the schoolmaster it was dealing with much more important interests than in that of the Poor Inspector or Registrar, because it was dealing with a man's only source of income. He might quote from a very high authority in favour of the interference of the Department in matters of education. Mr. John Stuart Mill, in his *Political Economy*, in dealing with the limits and provinces of local government, entered into that question, and maintained that with regard to education—averse as he was to the interference of the Government with local concerns, and advocating, as he did, the *laissez faire* principle—it was one of the duties of the Government to interfere in matters relating to the education of the people. He concluded a long dissertation on the subject with these words—

> "In the matter of education, the intervention of the Government is justifiable, because the case is not one in which the interest and judgment of the consumer are sufficient security for the quality of the commodity."

One reason why he brought forward his proposal was that the ratepayers were not sufficiently careful to elect the best men, and as an instance of that he might quote the case of a school board in Kirkcudbrightshire. At the election there were eight gentlemen put in nomination, one of them being objectionable to all the others. As he would not withdraw, the other seven did, and he was the sole candidate left. He was returned; but he believed that some interference had been made by the Government since, and the result was the election of a school board; but what confidence could be placed in a board elected under such circumstances? One of the objections that might be taken to the Bill was that it afforded no protection to teachers against the undue lowering of their salaries by school boards; that their position might be made untenable by a reduction of their salaries to a minimum. He did not think that was a fair argument against the Bill. He did not intend to make the position of the teacher an ideal one, without any disabilities or difficulties, but to remedy one particular grievance. If there was any reason to suppose that school boards would enter into a course of reducing a teacher's salary to starvation point, in order to get rid of him, if this Bill were passed, then that might be remedied by further legislation in the way of establishing a certain rate per scholar. That proposal was discussed in 1872, and dismissed as undesirable, and he must say he thought it undesirable himself. He did not contemplate as possible deliberate cruelty on the part of a board against a teacher. What he wished to safeguard the teachers from was a chance decision like that which was come to in the Leswalt case; because one error on the part of a school board might imperil the success and prospects of a teacher for his whole life, however much that error might be afterwards regretted by the board. *Quidquid delirant reges, plectuntur Achivi.* The Vice President of the Council might say, if this Bill were passed, it would throw too much work on the Education Department. The answer to that, however, was that, during the last 10 years, out of 600 school boards only 25 cases had been advanced in which the Educational Institute of Scotland thought interference with the board should have taken place. The very fact of an appeal existing would further reduce this number. School boards would hesitate before acting hurriedly. He thought he had said enough now to show that some legislation was required on this subject. He could assure the right hon. Gentleman and the House that the greatest possible interest was felt throughout Scotland in the success of this measure, which professed to give a reasonable degree of security in the discharge of their duties to a most deserving and important class of the community; and he believed if this Bill were allowed to pass a second reading, or if the right hon. Gentleman would give some assurance that the teachers' position would receive his consideration, and would receive some improvement at his hands, it would be received with satisfaction throughout the length and breadth of Scotland.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Herbert Maxwell.*)

MR. ANDERSON said, that after listeningly very attentively to the speech of the hon. Member who moved the second reading of the Bill, he felt bound to say that he never heard so slight a case made out in favour of so great a change. The hon. Member had come very badly supplied with arguments in support of his case; but certainly he had come very well fortified with Latin quotations; and perhaps that was not inappropriate in a case for maintaining the schoolmaster's position. He would not follow the hon. Member's example in dealing with Latin quotations. They were not in his line. [MR. WARTON: Hear, hear!] The hon. Member had only given the House three cases, and they had only heard one side of them. Perhaps, had they heard what the school boards had to say on these cases, they might form a very different opinion regarding them. The hon. Member had told them that there only had been in the whole 10 years since the Education Act passed 25 cases in which interference should have been asked. Well, they would say nothing about the three cases; but here they had it distinctly stated by the

Mover of the Bill that only 25 cases had occurred out of 600 school boards in which interference was necessary, and yet, for that wretched number of cases, he asked the House to make so great a change as to degrade the status of the whole 600 school boards of Scotland. The hon. Member wanted to make the schoolmaster the master of the board, in place of the board, who employed the schoolmaster and paid him, having him as their servant. That was the reason why he opposed the Bill. The hon. Member had referred to the debate of 1872, and said his grievance was foretold then. Very likely. He thought it was stated by Lord Young, as one of the principal points of his Bill, that they would, by passing it, destroy the old fixity of tenure which had acted so badly, and which had reduced the position of the schoolmaster, in many cases, to that of an old woman, and bring them into a position which would enormously improve their status. The hon. Member actually said the social position of the schoolmasters of Scotland had been impaired by the Education Act. He took issue with the hon. Gentleman on that question at once, because the social status of the schoolmasters of Scotland, as far as they could judge by the proper standard—the amount of their emoluments—had been greatly improved, their emoluments being enormously increased by the Act of 1872. He did not wish to say one word against the schoolmasters of Scotland. They were now a highly respectable body; but they were not always a very practical body of men. Certainly in 1872 they were not, because they were the principal opponents of the 1872 Bill. They were so enamoured with the position of fixity of tenure under the heritors that they did not like to see anything in the shape of change, and yet the change under that Act had simply put the ball at their feet. They had a constantly improving position ever since, and now they were a highly respectable and able body of men, in receipt of much larger emoluments than ever they were in receipt of before. The fact was that the Act had made a career for the schoolmaster. Formerly, the position of parish school teacher was no career for a man. It was only a career for a broken-down man. If a man happened to fail in his aspirations for the ministry, he straightway descended into being a schoolmaster. In fact, it was commonly said that all schoolmasters were simply what were called "sticket meenisters." [*Laughter.*] He did not require to explain that phrase to any Scottish Member. [Mr. WARTON: Hear, hear!] But how was it now? The thing was altogether reversed. A "sticket schoolmaster" might be a minister; but it would be utterly impossible for a "sticket meenister" to be selected by a Scottish school board to be the schoolmaster of a Scottish parish. Therefore he had no hesitation in saying that the social position of the teacher, instead of being impaired by the Act of 1872, had been enormously improved. He had said schoolmasters were not a very practical body of men before, and he did not think they were very practical now. They had been spoiled by the position they had been put into by the Education Act, and now they were demanding the absurd position of being independent of their masters. He was sure it would not be very good for themselves to show that independence. Take even the case of Leswalt, to which reference had been made. The schoolmaster was no sooner dismissed by the school board of one parish than he was employed by that of another. In future, all teachers who did not get on well with their boards would have that resource. What would have been the teacher's position if he had the right of appeal to the Privy Council, and the Privy Council had confirmed the decision of the Leswalt school board? He thought, in the majority of cases, the Privy Council would be disposed to confirm the action of school boards, unless the case was very gross indeed. The schoolmaster of Leswalt, if his dismissal had been confirmed by the Privy Council, would have been a man ruined for life, and could not have gone to the next parish and been appointed a teacher there. Therefore, he doubted if what they were asking for as an improvement would be in all respects an improvement upon their status. The hon. Member had referred to the cases of Inspectors of the poor, that were, he said, not removable without appeal. But their case was not analogous at all. An Inspector of the poor was elected to protect the poor against the grasping ratepayers. The Poor Law Board was elected to take care of the rates, and the fear was that they might carry that care for the rates to too great an extreme. If they found the Inspector dealing too leniently with the poor they might dismiss him. But there was no such argument for taking out of the hands of the school board the power over their servant. He had said he did not think it would be greatly to the benefit of the schoolmasters to get this power; but that was not his principal argument. His principal argument was that they must not degrade the school boards and put them in a position of lessened power; because the result of that would be that the country would get a worse class of men to act on the school board. He considered it of the greatest importance to keep up the quality and status of the members of school boards; and he earnestly hoped the right hon. Gentleman (Mr. Mundella) would not seek to take into the Privy Council anything more of a centralizing tendency. He hoped he would repudiate the suggestion of the hon. Gentleman, and entirely reject it. There was only, indeed, one clause in the Bill that he personally could think of supporting, and that was the clause which provided that schoolmasters should not be dismissed in the rapid manner mentioned in one of the cases brought forward. It provided for a meeting convened by circular at three weeks' notice, so that all the members of the school boards should have due notice of what was to be proposed to them. That, probably, would have been effected in at least some cases of dismissal. But it was the only clause that he could conscientiously support; and unless the Bill was cut down to that one clause he should feel bound to oppose it. Indeed, that clause did not contain the principle of the Bill; and as they were now called on to vote for the principle of the Bill, which was the non-removability of schoolmasters except with the assent of the Privy Council, he begged to move that the Bill be read a second time that day six months.

Mr. BAXTER, in seconding the Amendment, said, he came down to the House with feelings of great curiosity to hear what could possibly be said by the hon. Baronet opposite (Sir Herbert Maxwell) in favour of this most remarkable Bill. He thought, perhaps, some terrible thing must have occurred in Galloway to afford justification for a measure of this character; because, speaking of the Eastern part of Scotland, he was perfectly certain that no desire for any such measure existed except on the part of a very few unpractical schoolmasters. The people of Scotland had perfect confidence in the school boards whom they elected. He entirely concurred in the opinion expressed by his hon. Friend the Member for Glasgow (Mr. Anderson) that the effect of the Bill would be to degrade the school boards, and introduce into the boards a worse set of men than they had at present. He had never heard, during his long experience of 28 years in that House, a Bill supported on such insufficient grounds. The hon. Member had given them only three instances of what he termed wrongful dismissal; but it did not follow, from anything he had said, that in any of these instances the school board was in the wrong. He thought it would be a most extraordinary thing were the House, because of the doubt as to the propriety of the action of three school boards in 10 years, to reverse the legislation deliberately agreed upon in 1872. He begged, in the strongest manner, to confirm what his hon. Friend the Member for Glasgow had said with regard to the opinions of the author of the Education Bill of 1872 in regard to that part of the Bill which related to this particular subject. Lord Young, over and over again, stated in the House that he attached the highest importance to leaving entirely in the hands of the school boards all matters connected with the appointment and dismissal of teachers. It was a matter, in his (Mr. Baxter's) opinion, in which no Department of Government in London ought to be permitted to interfere; and he was quite certain of this—that no more unpopular vote amongst the ratepayers of Scotland could be given than a vote in favour of such interference. In reference to this measure, he desired to correct an inaccuracy into which the hon. Member who had moved the second reading of this Bill had fallen. He stated that, although Lord Young had introduced and carried the Act of 1872 through the House with remarkable skill and ability, yet its real author was Mr. Craig Sellar. He (Mr. Baxter) believed that if ever there was a Bill introduced and carried through Parliament of which the sponsor was the real author, that Bill was the Education Bill of 1872. He went further, and said that he believed it to be the case that Lord Young himself wrote every clause, and perhaps every line, of the Bill. The hon. Gentleman had stated, with great truth, that, although at the time the Act was passed there was a great scarcity of applicants for vacancies in schools, now there were for every vacancy something like 100 to 200 applicants. But what did that prove? It proved that the teaching body in Scotland fully confided in the action of the school boards. The hon. Gentleman had further stated that it was impossible for the schoolmaster who had such an insecure tenure of office to teach properly in his school; but was that not rather an aspersion on the great body of teachers? He (Mr. Baxter) did not believe that the nature of their tenure interfered in the smallest degree with their teaching. This grievance of the schoolmaster was entirely a theoretical and sentimental grievance. He confirmed what the hon. Member for Glasgow had said in regard to the action taken by the teachers of Scotland with regard to every Bill introduced into Parliament for the improvement of the education of Scotland. They sent year after year deputations to London to oppose the various Education Bills. They trusted more to the landlords of the country than to the ratepayers. Yet, in the majority of instances, the salaries of the teachers had been very greatly raised under the operation of the Act passed in 1872. In some cases the salary had been doubled. He thought it was very unwise on the part of the teachers, having made such a mistake before, to try and go back and alter, in one of its most essential provisions, a Bill which had done them so much good. He was perfectly satisfied that no one in Scotland desired this measure except the teachers, who laboured under this imaginary grievance. He joined with the hon. Member for Glasgow in hoping that the right hon. Gentleman (Mr. Mundella) would not countenance the Bill in any way. No doubt, he would oppose the second reading; but he (Mr. Baxter) begged him to give no assurance which would lead the people of Scotland to imagine that there was to be any change in this respect.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Anderson.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. ORR EWING confessed that, in rising to address a few words to the House on what he considered an important measure, he felt the effects of the disappointment which he experienced in reading the account of the reply of the Vice President of the Council (Mr. Mundella) to the deputation from the Scotch Educational Institute that waited upon him on Saturday last. The right hon. Gentleman held out no hope, and showed no sympathy with a most important and useful body of men in Scotland; but, in his own peculiar, sledge-hammer way, lectured them as to their ignorance as to what was best for their own interest, and declared that if what they asked was granted it would be injurious to themselves. The right hon. Gentleman's remarks might be divided into three heads. The first was, that it was the worst drawn-up Bill he had ever read; but one would have thought, from his experience, that he must have known the usual way to treat a Bill which was distasteful was to call it the "worst drawn-up Bill ever introduced." It did not matter how the Bill was drawn up, if its principles were correct. Any deficiency in drawing up could have been amended in Committee; and, therefore, the right hon. Gentleman might have spared that portion of his rebuke to the teachers who waited upon him. It appeared the teachers had asked that there should be a fixed minimum salary. That the right hon. Gentleman tabooed, as asking something which would deteriorate their remuneration. Depend upon it, said the right hon. Gentleman, the minimum salary would soon become the maximum. That was an assertion without a shadow of argument, because there was in every public office a minimum salary, which went on increasing year by year according to the efficiency of the occupants. So it would be with the schoolmasters. The right hon. Gentleman next said that the Education Department could not undertake the supervision of cases of removal of teachers by school boards, and was not competent to judge whether the interests of education were involved in the dismissal of a head master.

MR. MUNDELLA remarked that what he had said was that the Education Department was not competent to judge what would be for the interests of education in respect to localities.

MR. ORR EWING said, what he wanted to point out was the nature of the duties of the right hon. Gentleman. The duties of the right hon. Gentleman were multifarious, and sometimes incongruous; for he not only had the charge of education, but also of cattle disease, for preventing the spread of which he had numerous Inspectors at his service. Surely he might expend some little time and trouble in making inquiries into the grounds for the dismissal of a head master by means of his School Inspectors. The hon. Member for Glasgow (Mr. Anderson) and the right hon. Member for Montrose (Mr. Baxter) had shown little sympathy with the schoolmasters, and seemed to understand what they should ask and what would be for their interest much better than the teachers themselves; but the fact remained that the whole body of the schoolmasters were in favour of this Bill. The hon. Member (Mr. Anderson) argued that the case brought forward by the hon. Baronet was a weak one, because that during the whole nine years that the Education Act had been in force, there had only been 25 cases of capricious dismissal. Yes; but hon. Members would bear in mind that it was only a few cases of "Boycotting" which had taken place in Ireland, and yet that had had a most powerful effect on the whole country, and had struck terror everywhere. And it was the same with murder. One murder affected not only that country, but this country also. So it was with the schoolmaster. Although there were only few cases brought forward, yet those cases told their own tale; and he knew there were hundreds of other cases where the poor schoolmaster had had to bear bad treatment, which, under other circumstances, he would not have done, because he felt that if he resisted, the power of the school board was so great that he would lose his situation, and perhaps be thrown on the world. There was an absolute monopoly of education in the school boards; and when a master had been put about his business by being dismissed by a school board without a reason—for the school board was not bound to give a reason—there was little chance of that man being employed again. There was a fourth reason that the right hon. Gentleman gave in condemnation of this Bill — namely, that such interference with the school boards would be destructive of the independence of local government and derogatory to the school boards. He did not care much for the independence of any corporation or school board who could act unjustly to persons in their employment or under their control. He held there was nothing so degrading to a teacher who was placed in an important office as to be under the control and domineering influence of a school board of less culture and social position than himself, and be obliged to submit to the domineering dictation of that board against his conscience. Had they not parochial boards appointing their medical officer and their Inspector, and yet without the power of putting them about their business, unless with the concurrence of the Board of Supervision? And was that found to degrade the parochial boards? And were they not composed of a better class of people than their country school boards were? ["No, no!"] Hon. Members might say "No, no!" but that was his experience, and he knew that the principal qualifications for members of the school board, in some cases, were that they should be men of free social qualities, and the best customers of public-houses. ["No, no!"] He had a perfect knowledge of what he was saying. In Edinburgh and Glasgow and the large burghs the business was managed remarkably well. It was in the small rural parishes where they suffered, because there well-to-do people, such as landlords, proprietors, and farmers, had no influence whatever in the election of the school board, which was altogether in the hands of the people who occupied small houses in the village. Any person who occupied a house, even although he was unable to pay rates, had the same power in electing members of the school board as the landed proprietor, who, perhaps, paid three-fourths of the whole rates in the parish. He should vote for the Bill, believing it was a just and reasonable measure for the protection of the most arduous profession that they had in the country—a profession which required almost a lifetime to make efficient—requiring a good education, high culture, rare qualities of command of temper, patience, kindness, and firmness; and if they resisted this Bill, and kept things as they were, they would lower the class of teachers who would come into the profession, and do great injury to the education of the country. The caricature drawn by the hon. Member for Glasgow of what the schoolmasters were before the passing of the Act of 1872 led him to fear that the hon. Member had had little acquaintance with that honourable body of men. He knew them well; and he affirmed that the character and education of those men were so high that they were able to pass their scholars right on from the country schools to the University. What the hon. Member for Glasgow had said regarding those men was painful to him and unjust to them. The schoolmasters of Scotland, from the great independence they had by fixity of tenure—which he did not ask should be renewed, though it had its advantages too—produced a race of people than whom none were more law-abiding, industrious, and worthy to fill the places which they found Scotsmen occupying all over the world. He should support the Bill before the House.

Lord COLIN CAMPBELL said, that, after the expressions of opinion which had fallen from the Liberal side of the House, he certainly felt that it required considerable courage on his part to carry out the determination with which he came down to the House, which was to say one or two words in favour of this Bill. He did this, first of all, because he felt bound by the promise he gave some of his constituents to do everything in his power to remedy what he believed then, and what he still believed, to be a genuine grievance which the schoolmasters of Scotland had in this matter. He did not gather from the speech of the hon. Member for Glasgow (Mr. Anderson) that he denied that injustice was done to the schoolmasters; and it seemed to him extraordinary that when the fact of injustice was generally admitted, the hon. Member should come down to the House, and, in opposing the second reading of the Bill, practically assert that there should be no remedy for this grievance. He thought it was an unfortunate thing that the Legislature had gone from one extreme to the other in this matter. There could be no doubt that the old law, which made the schoolmasters entirely independent, which made their removal by any power in Heaven or earth impossible, was certainly a bad one; but he could not help thinking that the other extreme into which they had gone, under which the teacher, a public servant, was at the arbitrary disposal of any body of men, was not less bad and unwise. The right hon. Gentleman, in a speech he made a few days ago to a deputation of Scottish teachers, seemed to admit the grievance, and told them they must rely more on the sense of probity in their countrymen, and less upon Acts of Parliament, or words to that effect. He (Lord Colin Campbell) ventured to say, with all respect to the right hon. Gentleman, that if he admitted that the schoolmasters in Scotland had a grievance, something more might be expected from the Department over which he presided than that it should be put in a Motion merely to throw out the Bill by destructive criticism. The right hon. Gentleman might lend his valuable aid and counsel in re-modelling a measure which he did not approve. He (Lord Colin Campbell) was not concerned to defend the drafting of the measure. He thought there were errors in it; but they were capable of being rectified He thought the machinery which the hon. Baronet (Sir Herbert Maxwell) proposed to create for the removal of injustice was not to be altogether approved. He believed the real remedy in cases where injustice seemed to be done was to dissolve the school board, or, at least, in those cases in which the sentence of dismissal was not supported by three-fourths of the school board. In the speech of the right hon. Gentleman, he told the schoolmasters that it was a bad thing to interfere in such a way as would detract from the dignity of the school board, and interfere with its powers. He could not think that was an insuperable objection. The general working of the school boards in Scotland had been justly eulogized; but if, in this matter, injustice had been done—if the fact was proved, however much they might be disposed to laud and eulogize the school boards in Scotland, there was no reason why they should not endeavour, as far as they could, to purge the system of any taint of injustice which existed. Want of sympathy with cases of capricious dismissal was certainly astonishing, as coming from that side of the House, because Parliament had shown the strongest sympathy with tenants in agriculture, who were liable to capricious eviction; and he must say he thought they might be expected to show the same regard, and the same zeal, for any body of men, whether connected with agriculture or not, who were liable to be deprived, without sufficient reason, of their status, and of the emoluments on which they depended for their living. The inference might almost be drawn that those who opposed this measure regarded the injustice which was done by individuals when they evicted their tenants as more reprehensible than similar injustice, when it came not from individuals, but from bodies of men. Nobody could deny that the position of the schoolmasters was one which tended to make them dependent on the dominant section of the school board; and a system which made a schoolmaster a mere drudge in the hands of the dominant section of the school board was not one that would tend to increase the utility of his work. Now, with regard to the remedy which the right hon. Gentleman seemed to advocate, he would quote from a report which appeared in a Scotch newspaper of the interview with the deputation referred to. He said that—

> "Where a man was discharged simply for the fact that he belonged to a particular denomination, that was so intolerable that he should think the mere fact of publicity given in the Press would be the best remedy in the world."

He must say he could not see the justice of that observation. He would ask the right hon. Gentleman whether he supposed that the mere fact of the publication of what he called a "scandal" in the newspaper, without investigation and without inquiry as to the truth of the allegations made, was of itself insufficient? It was evident that the mere publication of the facts would neither restore the man to his office from which he had been wrongfully ejected, nor could it act as a deterrent, unless the facts had been proved by independent inquiry. The right hon. Gentleman took a very complimentary view of the power and efficacy of the Scottish Press. For himself, he should be very sorry to say anything which might seem to deny the good which inevitably must result from the publication of these scandals. But he did wish to point out that, whatever good it might do, it could not alone remedy the particular evil complained of, nor prevent similar "scandals" in the future. Though he did not approve of the machinery of this Bill—of the proposed appeal to the Education Department—he should vote for the second reading of the Bill; because he thought there should be no wrong and no injustice to Scotland in this matter without Parliament providing some remedy.

Mr. BUCHANAN, whilst agreeing with some of the sentiments expressed in favour of the Bill, and whilst he could not say he was satisfied with the present position of the schoolmaster in Scotland, being, as he was, at the mercy of the dominant section of the school board, yet could not support the Bill. There was one thing, however, he disliked still more, and that was the remedy proposed by the noble Lord (Lord Colin Campbell). He suggested that the best remedy would be to dissolve the school board. That would be to give still more abitrary power to the central Department in London, and to take away, still more than was contemplated by the Bill of the hon. Baronet, the power vested in the school boards, and would be still more destructive to local government in Scotland. He agreed, to a certain extent, in what had been stated by the hon. Member for Dumbartonshire (Mr. Orr Ewing) as to the high character of the teaching body in Scotland. Nor was he prepared to disagree with him as to the great debt of gratitude which Scotland owed to the old parish schoolmasters; but he could not go with him in his idea as to the propriety of restoring the old principle of fixity of tenure of office.

Mr. ORR EWING said, he had not suggested that. Quite the reverse.

Mr. BUCHANAN said, he was aware that the hon. Member had not advocated that; but he allowed it to be implied that he was in favour of the idea. He opposed the Bill with some reluctance, because he should be anxious to defend a class of public servants, so honourable and so useful, from the risk of capricious dismissal. Such dismissal might be prompted by the narrowest of all motives—namely, sectarian prejudice. It was a matter of very great regret to him to suppose that such a thing was possible, and he should be anxious to follow any means that was admissible to render it impossible; but the Bill which had been submitted to the House was a very large and serious measure, while the grievance it dealt with was, on the whole, much smaller than the hon. Member supposed. What the House had to look at primarily was not the interests of individuals, but the interests of education. It was an ungrateful thing to say that while they desired to do justice to everyone they must put the interests of education above the interests of the teachers. The cardinal principle of the Education Act of 1872 was that the responsibility for the elementary education of Scotland was to be placed wholly and entirely in the hands of the local boards, elected for specific districts. Now, undoubtedly this Bill of the hon. Member tended to divide, to diminish, and so far weaken the responsibility placed in the school board by that Act. There were cases in which it was surely right that the school board should have the entire power of dismissing a teacher, without being compelled to show reasons for their conduct. There were cases, for example, in which the Board might fairly consider whether the salary which it offered might not command a better teacher, and whether they might not get better value for it. It seemed to him that once they parted with the rule laid down by the Act of 1872, by which the teacher held his office during the pleasure of the board, there was no intermediate position between that and the old position of *ad vitam aut culpam.* Either he must hold office during pleasure, or it must be a freehold. All precedent was in favour of tenure at the discretion of the trustees or heritors of the school. That was the case, he thought, in regard to the Church of Scotland schools at the present moment, and it certainly was the case in regard to the Free Church schools; and the only case ever brought before a Court of Law in Scotland was the case of the Trustees of the Woodhouse Institution, and there it was distinctly laid down that the teacher held office during the pleasure of the Governing Body. Then there was the case of the schools which were the most efficient among elementary schools in the country, which had the largest average attendances of any elementary schools in Scotland—schools very well known to the right hon. Gentleman—he meant the Heriot Free Schools in Edinburgh. The average attendance at these schools amounted to 90 per cent, or was almost as high a percentage as that at the Jews' School at Manchester, to which the Vice President had referred in a recent speech. In these free elementary schools, during the 40 odd years they had existed, the teachers had always held office at the pleasure of the Governors of Heriot's Hospital, and there had been no single case of complaint of capricious or unfair dismissal of the teachers in these schools. Therefore, on these grounds, although he confessed with some reluctance, he must vote against the second reading of the Bill. With respect to one point which had been raised by the hon. Member for Glasgow (Mr. Anderson), he was prepared to go a step further than he did. He thought the teachers had a right to claim not only that they should get a distinct notice of the proposal that they should be dismissed, but that there should be special notice given of the meeting which was to take into consideration the dismissal of the schoolmaster to all the members of the board that there should be a fixed interval of time between the summons and the meeting, and that, at the meeting so summoned, the question should not be decided unless there was a majority of the whole board in favour of dismissal.

Mr. COCHRAN - PATRICK said, that one important argument which might be used in support of the second reading of the Bill was the fact, not disputed by those who knew best the educational circumstances of Scotland, that a large number of the better classes of students were now refusing to enter the teaching profession, on account of the fear of capricious dismissal, and consequent ruin of their prospects; and he thought that argument must weigh very materially with the House. The right hon. Gentleman the Vice President of the Council would agree with him that nothing was more important in any educational system than to secure the very best men as teachers; and if it were true that these students were deterred from coming forward, that of itself ought to give ground for grave consideration, and that argument, he was bound to say, weighed more with him in support of the Bill than, perhaps, any other he had heard. He would like to say one word in regard to the responsibility of school boards. He thought a good deal of misrepresentation and fallacious argument arose from the common and erroneous opinion as to the status and function of school boards. Some people thought a school board was an irresponsible body. So far from being vested with irresponsible powers over school board teachers, and in their dealings with school rates and other matters, he regarded school boards, during the time of their existence, not as irresponsible masters, but as responsible trustees, and that their duty was to act as trustees for the main object for which they were appointed —namely, to carry out the education of the country in the most efficient and proper manner. Now, if he was right in that view of the function of the school board, it did away, in his opinion, with the chief argument used by the hon. Member for Glasgow (Mr. Anderson). The hon. Member for Edinburgh (Mr. Buchanan) said there was no medium between the moderate proposal of the Bill and fixity of tenure, which every Member who had yet spoken had condemned. He did not understand the argument which said they could not have a medium between two different proposals when the medium was actually presented to them. If the proposal now before them could be identified as fixity of tenure, then he was quite willing to accept it; but it did not approach fixity of tenure. It only provided that the dismissal of the schoolmaster should not take place when it was attended with public disadvantage; and the question of public disadvantage was left in the hands of the Education Department. He did not agree with all the proposals in the Bill; but with regard to its principle, he was entirely at one with the hon. Baronet who introduced the Bill.

CAPTAIN HERON-MAXWELL, as one whose name was on the back of the Bill, supported it, as representing a county constituency, because he considered it was in such constituencies that most necessity existed for some protection to the teacher. He must, however, repudiate altogether the truth of the statement made by the hon. Member for Dumbartonshire (Mr. Orr Ewing) that the composition of these school boards was such that the members were the chief contributors to the support of public-houses. Such a sentiment as that he could not possibly endorse; because, from his own experience in the county which he represented (Kirkcudbright), he knew it not to be the fact. He knew the members to be men who did their duty honestly and conscientiously; and were not only men of good social position, but of good moral character. Therefore, he did not think that was an argument that ought to be adduced by the hon. Member in regard to the question before the House; and he did not think it would do the hon. Member any good when next he went to his constituents for re-election. The reason he supported the Bill was that he thought in country districts, where the population was sparse and the parishes large, and the number of members on the school boards small, it was a very difficult thing to get the members together to conduct the business which they had to do, because they lived at great distances apart. Only lately he had communications made to him to get the number of members of school boards in these parishes increased for that very reason. In the burghs it was altogether different, because there there was no valid reason why members of school boards should not always do their duty. As regards the grievances of the schoolmasters, he was bound to say that he thought they had had little to complain of in the past. He thought their grievances were rather prospective; but, at the same time, considering the expense of their education, their capacity, and intelligence, he thought they had a right, if they chose, to ask for some safeguards, so as to insure that the position they now occupied should not be taken from them in a capricious manner. They did their work exceedingly well; but he did not see how this Bill would affect the matter at all, because the school boards were not bound to give any salary at all, and if a master applied to the Privy Council and obtained a decision in his favour, the school board could reduce his salary to such an extent that he would not be able to remain in their service. He felt sure, however, that such a case would not occur; for the members of the school boards were strictly honourable men, and would not act in that way. Still, he believed the masters had certain grievances; and although he could see the Bill would not be carried, he hoped a measure would be adopted providing for the giving of notice to the teacher, and the calling together of the whole board to decide upon the question of dismissal. He hoped the hon. Member would go to a division.

MR. LYULPH STANLEY said, it was far better that people up and down the country should exercise their power, even with the possibility of abusing it, than that the work of education should be tied still further under Departmental control. The Education Department had, perhaps, too much power already; and he should be very glad to see the tendency of legislation throw more responsibility on the school boards. He thought it would be quite impossible for a board to work harmoniously with the schoolmaster after there had been such a conflict between them as an appeal to the Department. If the Department sustained the schoolmaster against the board, the latter would be sure to blame the Education Department for any bad results of the examinations. He was quite ready to admit that in England, as well as in Scotland, the sectarian element was brought into play in the election of school boards; but he thought the principal remedy for that was not that Bill, but something rather for reforming the school boards. He thought the election area was too small, and that the cumulative vote was a direct invitation to sectarianism in the running of candidates. Any Bill which would extend the election area in rural districts and abolish the cumulative vote would do much to remove the grievances complained of.

SIR EDWARD COLEBROOKE said, he had anticipated that the result of the legislation of 10 years ago would be to encourage predominant Party feeling in school boards; but his experience had dispelled many of the apprehensions he felt at the time, and he appealed to Scottish Members whether there was not reason to admire the way in which the school boards had done their work? If there was any reason for complaint, it was the fact that they had been lavish in their expenditure; but that expenditure had been accompanied by action which showed that they took great pride in the school. They were fully alive to the importance of the matter, and were not likely to dismiss any teacher except on good and valid grounds. He would, at the same time, admit that there had occurred some cases in which injustice had arisen; but they were of a limited character, and the instances so few, that he did not think they ought to disturb the grounds upon which the settlement had been made; and for this reason—the present position of things was healthy, and it was most important that teachers should be able to feel that they were not merely the salaried officers of the State, but that they held their office by doing their duty to the people from whom they received their appointments. He shared strongly in the feeling of the hon. Member for Oldham (Mr. Lyulph Stanley), that the true remedy for the evils complained of lay in the extension of the areas from which school boards were elected. In remote districts and small parishes it was impossible to overcome local feeling and contentions on religious grounds; but by the enlargement of the areas of election, that feeling would be overpowered by the more general expression of opinion derived from the larger areas. If any change was made, it should be in the direction that the persons appointed should be independent of the parish, and elected by larger areas. If the principle were adopted by the House that there should be an appeal to the Privy Council, it would be one that would not be confined to Scotland, but one that would affect every school board in the United Kingdom. He entertained the gravest doubt whether the Education Department of the Privy Council should really exercise the supervision provided by that Bill; and he would appeal to his right hon. Friend who had charge of that Department how far he thought he could exercise the jurisdiction given by the Bill without some local inquiry upon the spot. He thought, also, that the appeal should, if made at all, not be made in the manner proposed by the Bill; and if the hon. Baronet the Member for Wigtonshire would be content with the clause under which dismissal should only take place by a vote of three-fourths of the board, a Bill might pass which might satisfy the schoolmasters that their tenure of office would not be lightly interfered with. The Bill, in its present state, was not likely to pass; but if the hon. Baronet accepted the modification he suggested, he would be rendering assistance to an efficient body of men, whom all Scottish Members on both sides desired to see exercising their duties with independence, and for the benefit of the country.

MR. J. A. CAMPBELL said, he thought he might congratulate his hon. Friend (Sir Herbert Maxwell) for having brought out the fact that the present state of the law was not altogether satisfactory. There seemed to be a general agreement that some greater precautions should be used than were prescribed by the Education Act, with regard to the dismissal of teachers. His hon. Friend the Member for Glasgow (Mr. Anderson) had expressed his willingness that the principle of the 3rd clause of the Bill should be carried out; that there should be full notice given to the members of school boards before they met for such important business as to consider a proposal to dismiss the principal teacher. He hoped the hon. Member and others would be equally willing to accept the principle of the 4th clause, which was that the dismissal of a teacher should only be effected when carried by a majority of the whole of the members of the school board. They had heard that at present it was possible for a principal teacher to be dismissed by the vote of a majority of the quorum of a small board—in other words, by the vote of two persons. He thought a good deal of the opposition they had heard to the other provision in the Bill was founded on a mistaken idea of what the Bill proposed. They had heard it spoken of as a great change, and arguments had been used as if the Bill proposed to restore the old tenure of office of schoolmasters. That was not the principle of the Bill. All that was proposed was, that a teacher who considered himself capriciously dismissed and unfairly used should have a right of appeal to the Education Department. His right hon. Friend the Member for the Montrose Burghs (Mr. Baxter) spoke of the teachers' grievances as sentimental grievances. They might be sentimental; but they were felt by the members of an important profession, and, being felt, those grievances must have some bearing on the interests of education in Scotland. There was one fact, which he thought must add some weight to the teachers' complaint, which had not been referred to. Under other systems—for instance, under the system of the Heriot Schools in Edinburgh, and other schools that had been referred to—a teacher who was appointed during the pleasure of the managers had some knowledge who his managers were, and were to be. There was a certain element of permanency in the managing board. But there was this difference in the case of the public school teacher. He knew who his managers were this year, but not who they were to be three years hence. He felt some sympathy with such a teacher; and he thought his grievance was not sentimental only, but something real. It was objected that this Bill would degrade the school boards; but that seemed to him an entire mistake. There was no proposal to do anything which a school board, acting for the best, and seeking to do its work in a proper way, could object to. The drafting of the Bill had been admitted to be defective, and he had called the attention of his hon. Friend (Sir Herbert Maxwell) to a few words in the Definition Clause which ought to be deleted. The object of the Bill was to give some protection to the principal teachers in public schools. The principal teachers were in the place of the teachers under the old parochial school system, who had something like a stable tenure of office. The definition in the Bill would extend the scope of the Bill to head teachers of departments; but these were subordinate to the principal teacher of the school; and, as the assistant teachers, under the old system, had not the same tenure of appointment as the principal teachers, they had not, under the new system, the same grievance. That definition he considered a mistake. The whole purpose of the Bill was to relieve the principal teachers of a feeling of insecurity; and if such a measure were passed it would have very little effect in bringing work to the Education Department. He believed the fact of there being an appeal would prevent the capricious conduct against which the teachers complained; and that, if there had been an appeal in the past, the 25 cases of alleged injustice on the part of the school boards would not have happened. The fears entertained were groundless. The effect of passing some such measure as that would not be to bring many cases before the Education Department, but simply to prevent anything like unfairness and capricious conduct on the part of a few of the smaller school boards. They had no reason to complain of the larger boards.

SIR GEORGE CAMPBELL confessed to having a great deal of sympathy with the highly honourable body of schoolmasters; and he could conceive that, from their point of view, it was disagreeable to them to be at the mercy of a popularly-elected body, such as a school board. At the same time, he had more sympathy with the cause of local government; and it was in that view that he was inclined to oppose the Bill. It seemed to him that education would not suffer from power being placed in the hands of school boards; and that in the interests of the country generally it was desirable to retain the system of local government. He was very much opposed to the centralization of power; and in the best interests of the country it was desirable to localize government as much as possible. To pass a Bill of this kind would be a mistake. To remedy injustice by forcing back a schoolmaster on a school board, by the order of a centralized Department, would be a great evil. There would not be that harmonious working between the school board and schoolmasters which should exist, if there was the antagonism created by a schoolmaster being dismissed and then restored. An hon. Member had put the case of appeals to the Poor Law Board as one in which there was a power vested in a central authority. It seemed to him that a great deal of evil attached to the appeals which lie to the Poor Law Board in Edinburgh. There was no more unpopular Board, on account of the amount of antagonism that had grown up. He hoped the right hon. Gentleman the Vice President of the Council would not accept the Bill; but he thought Clause 3, which provided that a schoolmaster should not be dismissed by surprise, or on insufficient notice, was just and reasonable. It was a serious thing for a school board to dismiss their head teacher; and he thought, in the interest of the schoolmaster, in the interest of education, and of the country generally, that such a step should be taken only after due consideration and full notice. If the Bill went no further than Clause 3 he would support it.

SIR JOHN HAY said, he had heard with satisfaction the observations of the hon. Member for Kirkcaldy (Sir George Campbell), because it seemed to him that the principle was contained in the 3rd clause. He believed his hon. Friend (Sir Herbert Maxwell) would be satisfied if he obtained that security for the schoolmaster which was provided for in the Bill. It certainly was repugnant to one's feelings that a schoolmaster might be dismissed by the majority of a small quorum of a school board. It did seem to him an imperfect condition of the law that when so important a matter as the dismissal of a schoolmaster was to take place no notice of the object for which the board was to assemble should be given to the schoolmaster, who might instruct some members of the board to defend him, and that no time should be given for local feeling to express itself. He could well understand there was no necessity for this in large towns; but the case was otherwise in rural districts. If the whole of the school board were assembled on such occasions, injustice would not happen; but to leave it to a quorum in a board of five members was attended with injustice. Although, if his hon. Friend went to a division, he should support the second reading of the Bill, in order to amend the Bill in Committee, yet if they received a distinct assurance from the Education Department that some protection of the kind he had indicated would be given, he should ask his hon. Friend not to put the House to the trouble of dividing.

DR. WEBSTER regretted that the right hon. Member for Montrose (Mr. Baxter) should have touched on a topic which had really nothing fairly to do with the merits of the present question. The right hon. Member said that those who should support the second reading of the Bill on that side of the House would give a very unpopular vote. He (Dr. Webster) trusted that no such motive as that suggested would induce any hon. Member to give a vote contrary to his own conviction. He must say, however, that, in point of fact, there was no reason whatever for any such statement being made. There were no parties more ready than the constituencies of Scotland to allow their Representatives to give free and full expression to their opinions on Bills before Parliament; and little or no feeling adverse to the present Bill had been indicated, there being only six Petitions lodged against it. He considered that the necessity for the main object of the Bill had been proved. He was not in the position of the noble Lord the Member for Argyllshire (Lord Colin Campbell), who had given a pledge to the schoolmasters in his own constituency on this subject. On the contrary, his conversion on the subject had been of more recent date. He should have decidedly opposed the Bill of the hon. Baronet last year, which gave the right of appeal to the Sheriff; but it appeared to him that the present Bill dealt with cases of proved and admitted grievance and injustice. The only question now before the House was how far they were disposed to go in tolerating such grave oppression, and, indeed, sometimes tyranny. Such cases had been proved in the course of the debate. On the authority of the representative body of the Educational Institute of Scotland, there were no fewer than 25 cases of capricious and high-handed arbitrary dismissal, which could be proved. This statement had not been denied. The hon. Member for Glasgow (Mr. Anderson) talked of the grievous injustice which had been done to the teachers as a sentimental grievance; but the right hon. Gentleman the Vice President of the Committee of Council on Education (Mr. Mundella) stated to a deputation that no one in the Department, and no one in the House, ought to have any sympathy with such cases of capricious or arbitrary dismissal, and that such cases were a scandal. He (Dr. Webster) found that many of these dismissals proceeded from motives of personal ill-will and personal spite, and in other cases, what was still more reprehensible, from sectarian jealousy and religious animosity on the part of members of school boards. One such case was quoted by the hon. Baronet who introduced the Bill. There was another case, at least as bad, where the schoolmaster was of one Presbyterian sect, and the members of the board were of another, and the teacher was dismissed, no reason being assigned except that he was a Dissenter. These things, he thought, deserved the name the right hon. Gentleman (Mr. Mundella) had given them; and he did not think that the House would refuse a remedy. Most of the hon. Members who had spoken latterly in the debate admitted that some legislation was absolutely necessary. He was not wedded to the present Bill. He was himself inclined to agree with some of the speakers, who suggested that a remedy might be found in enlarging the area of the school boards in small country parishes; and he believed there was no ground of complaint on the part of teachers in large towns, or even in populous country parishes. On the contrary, the composition of those boards in such places was such as to do honour to them as representative bodies. The cases of grievance proceeded from those small, fractious, ill-conditioned bodies existing only in the less populous and more out-of-the-way parts of Scotland. Another remedy that was pointed out was the abolition of the cumulative vote. There was a growing feeling that the cumulative vote in the election of school boards was a matter which, to say the least, required grave consideration, and that the sectarian composition of school boards was mainly owing to the operation of the vote. If the hon. Baronet thought fit to go to a division, he should certainly feel bound to support him.

Mr. THOMAS COLLINS said, he could not agree with the hon. Member who spoke last in denouncing the cumulative system of voting for the school board. In his opinion, the cumulative vote was the main cause of the satisfactory working of school boards, because it gave to each section of the community its proper share of representation. He (Mr. T. Collins) held that the Bill was a retrograde measure, the principle of which might not improbably be applied to England as well as to Scotland. The Bill, if it were passed, would be quoted as a precedent for a similar change in England, and the result would be that a schoolmaster would be removed from his proper position as a servant of the managers of the school, and would be looked upon as a member of the Civil Service. As a consequence, every little village quarrel would be referred to officials in Downing Street or Whitehall, whose action would supersede and override that of the local school boards. The masters ought, of course, to receive due notice of dismissal; but that matter was a detail which might well be left to the school managers, and did not need to be regulated by the orders of any central authority.

Mr. R. W. DUFF said, that some of the previous speakers, and notably the hon. Member for Oldham (Mr. Lyulph Stanley), had suggested that it would be a good thing if the area of school boards was extended; and the hon. and learned Member for Aberdeen (Dr. Webster) had given some countenance to that suggestion. He did not think that would be a popular principle to apply to Highland districts. In many Highland parishes members of the school board had to travel seven or eight miles to attend the meetings, and in these cases he was sure they did not want an extension of the area. As far as the rural districts were concerned, he thought they were perfectly content with the existing area. Another suggestion was made as to the cumulative vote. He was bound to say that, as far as his experience went, the cumulative vote was not popular in Scotland, whatever it might be in England. Another opinion, which was more popular in the rural districts, was that the school boards should be elected once in every five years, which he thought was quite often enough. These elections often generated a great deal of bad feeling, and certainly they led to a good deal of expense. The cost of all the board elections in Scotland amounted to £13,000 or £14,000, which might be much better spent in education than in contentious election. He objected to the Bill of the hon. Member, because it was opposed to the principle of the Act of 1872. During the 21 years he had been in Parliament, he regarded that Act as by far the best measure ever passed for Scotland, and he did not wish it to be interfered with. At the Social Science Congress at Aberdeen in 1876, an interesting paper had been read by Lord Young, in which he maintained that the system of keeping the schoolmasters under the control of the school board was one of the vital principles of the Act of 1872. He (Mr. R. W. Duff) was bound to say that all his experience of the working of the Act justified that principle as a sound one. He was surprised that his hon. and learned Friend the Member for Aberdeen did not uphold that principle, because no one was better aware than he was of the character of the Free Church schools which existed in Scotland before the Act of 1872 was passed. Those schools were very good schools, with very efficient teachers, and yet those teachers were subject to dismissal without any appeal to a Government Department. Great stress had been laid upon one case which had occurred at Leswalt; but in that case, if the third member of the board had walked out of the room, there would not have been a quorum left, and the board would have been counted. He thought, on the whole, the cases of oppression that had been brought forward were remarkably weak. He was opposed to any infringement of the Act of 1872, because generally it had worked beneficially, particularly in the rural districts. The hon. Member referred to the case of certain Highland parishes where the rates were very high, and where no assistance was given by the Government. There were certain Highland parishes which received aid from the Government—that was to say, if their rates had attained a certain height they were relieved by the State; but there were other parishes where the rates were equally high, and no relief was given. In some parishes in Banffshire, for example, the rates were as high as 1*s.* 2*d.*, 1*s.* 4*d.*, and 1*s.* 6*d.* in the pound. These were very heavy rates; but they had been cheerfully paid and borne on the whole, though there certainly had been complaints now and again. But he thought that was an evidence of the desire of the people to have good education, and to maintain the standard of the schoolmasters. He believed in the county which he represented the percentage of passes was higher than in any other county in the Kingdom. He thought that the best proof that there had not been any falling-off in the standard of the schoolmasters. He should be glad if the right hon. Gentleman (Mr. Mundella) would see his way to do something in the way of carrying out the proposals contained in Clauses 3 and 4 of the Bill, which would protect the teacher against dismissal at a hastily-summoned meeting; and if he did that, he thought the hon. Baronet (Sir Herbert Maxwell) might withdraw the Bill.

Mr. RAMSAY said, the object of the promoters of this Bill was one which had long engaged his attention; but he had never been able to devise any method by which the teachers should have an appeal of any kind which would not impair the authority and influence of the school board. It was on that ground that he supported the rejection of the present Bill. The fact was that instead of doing anything to impair the influence of the boards, in whose hands they had placed the responsibility of securing the efficient education of the whole mass of the population, they should rather do anything in their power which would increase the influence and the authority of the boards. He could not recognize the propriety of what had been said with regard to the members of those boards by the hon. Member for Dumbartonshire (Mr. Orr Ewing.) He thought it was a calumny on his own countrymen to make such a statement. In many instances he had found that the very first men in the Scotch parishes had been selected for the important posts of members of the school boards. He did not approve of the suggestion of the hon. Member for Knaresborough (Mr. T. Collins) that they should continue the action of the cumulative vote. He disapproved of that mode of voting, whether as applied to school board or to Parliamentary elections. It was repugnant alike to the principle this House had adopted in deciding questions by a bare majority, and to the feeling of the people of his country. The hon. Member for North Ayr (Mr. Cochran-Patrick) had suggested that there was a deterioration in the character of those coming forward as teachers. The hon. Member had forgotten the fact that there were now 100 young men pursuing their studies in the Universities for the purpose of entering the profession of teachers. He believed that was an unprecedented circumstance. Believing, as he did, that the real efficiency of any school was determined by the acquirements of the teacher, he thought they could not do anything which would derogate so much from the respect which was due to the school board, seeing they were intrusted with the selection of those teachers, and had the power of determining their tenure of office, than to adopt the proposals contained in this measure. While opposed to the Bill, he would say that he was just as anxious as anyone to prevent the capricious dismissal of teachers. He thought it was disgraceful that even 25 cases should have occurred during nine or ten years; but he felt bound to state that, if equal attention had been paid to the number of capricious resignations by teachers, to the inconvenience of the school boards whom they served, it would have been found that there was at least an equal number who had been guilty of that offence against propriety. They must bear in mind that the schools were established, not for the purpose of having an efficient body of teachers, but were established and maintained for the sole purpose of providing for the efficient education of the people. That being the object, he did not see why they should determine to limit the discretion of those gentlemen, on whom rested the responsibility of securing that efficient education. The teachers were entitled to, and ought to receive, adequate notice, not only in point of time, but the whole members of the board ought to have an opportunity of considering any resolution of that nature. The Supreme Court in Scotland had determined that a reasonable notice was three months. He should have no objection, if there were to be legislation on the subject, to have that period lengthened, so that a teacher should be entitled not to remain in a school teaching that school from which he had been dismissed by the board; but that the board should be bound to pay him the value of three or six months' emoluments. He felt that six months was not a long period in the case of a man with a family. He could not help thinking that, had all the cases of dismissal referred to in the speeches that had been made been thoroughly investigated, some of them would have presented a different aspect from that which appeared on the surface.

MR. LYON PLAYFAIR: I regret that duties from which I could not escape prevented me being present when the hon. Baronet (Sir Herbert Maxwell) explained this Bill. That evil exists in the present system I think most persons will admit. There have been capricious dismissals of teachers, unjustified by any deficiencies in their teaching capacity. I hope and believe that public opinion now renders these cases of arbitrary dismissal more rare; but until public opinion can throw its criticism upon cases of injustice, teachers will not have that confidence in their appointments which it is desirable they should have to secure the efficient performance of their duty. I felt that in 1872, and then voted for an appeal to the Scotch Education Department. At that time the new system of education was to be created, and I felt that some such security was desirable in a new and unsettled scheme. The case is altered now, for nearly 1,000 school boards have been spread over the Kingdom, and are doing their work efficiently. While I would willingly support a Bill to enforce due solemnity into all considerations, both for the appointment and dismissal of a teacher, I would be very unwilling to lessen the responsibility of the Boards in the discharge of their duties. The noble Lord the Member for Argyllshire (Lord Colin Campbell) would render penal an arbitrary dismissal by actually dissolving a school board for the exercise of a power intrusted to it by law, if their reasons for dismissing a teacher were not considered adequate by the Education Department. The less interference that a central Department has with the executive of a school the better. It has general duties of inspection and payment by results; but if it interferes with school government it would undertake a duty which it could not satisfactorily perform. I have the honour to belong to the Scotch Education Department, to which, I presume, Scottish cases of appeal would go. We are a consultative Board, but not an executive Department; and every member of it is so thoroughly engaged in administrative duties that it would be impossible for us to undertake executive work. Such appeals as proposed by the Bill must fall to the consideration of the permanent officers of the Department, who naturally would be inclined to support the boards in their action, because in England they are not controlled in a like manner. A confirmation of an appeal for dismissal would be fatal to the future interests of the teacher, and would be registered against him in the Department, and on the face of his certificate. At present, dismissal may now arise from many causes, some of which may be merely local. For instance, a teacher may be excellent for elementary education, but may not be able to teach higher subjects, which the board might wish to introduce to the school. His change on this account would not damage him from getting another school. But who would take a dismissed teacher, with a ratification of a Government Department, and with a defaced certificate, that he was dismissed for inefficiency?

Sir HERBERT MAXWELL: The Bill only provides for appeal in the case of capricious dismissal.

Mr. LYON PLAYFAIR: But the teacher is very apt to consider his dismissal capricious; and there are few teachers who do not consider their dismissal capricious, whatever may be the reasonableness of the cause. I, therefore, say that such a ratification of his dismissal would do him a great amount of harm. I do not agree with the hon. Member for North Ayr (Mr. Cochran-Patrick) that there is a paucity of aspirants for the office of teacher. I know, at least, that in my own Universities the classes of the Professors of Education are increasing steadily, and I have not heard that there is any scarcity in the training schools. With every desire to see an improvement in the position of the teachers, I do not think this will be effected by this Bill. This discussion will have an excellent result in bringing public opinion to bear on the subject. If the hon. Baronet does not get a second reading to his Bill, I think he may be encouraged to bring in another to secure a full consideration of the grounds for dismissing a teacher only after due notice, and by the action of the actual majority of the whole board. The dismissal should be done in the full light of day, and subject to public criticism; but beyond that, in the interests of teachers, I am not prepared to go. All the great schools are taught by teachers subject to dismissal, which is very rarely, indeed, arbitrary or unjust, because public opinion prevents it. The old system of giving a freehold to the parish schoolmaster was found to be a bad one, and the new system will quickly work itself into a proper state when the acts of school boards are open to public criticism, and are exercised in the full light of day, and with a sense of undiminished responsibility. But, to hasten that time, I will gladly support any Bill which would carry out the principles of the 3rd and 4th clauses of this Bill in order to secure this end; and I trust that the Vice President of the Council will support us in our desires to obtain, even in this Session, such securities for due notice and publicity.

MR. DALRYMPLE said, that, as one who was not enthusiastic 10 years ago in support of the Education Act of 1872, and who had anticipated the possibility of some evils arising from the change that was then made, nothing would induce him to support a measure which would interfere with the authority of the school boards. The greater the responsibility that was laid upon school boards, the greater security they had for their efficiency. He believed, however, that this proposal would not have any serious effect in that respect. He thought the power of appeal would give a greater sense of security of a suitable kind to the schoolmasters. He would not desire any greater security than that afforded by an appeal to the Education Department. He admitted that an appeal to any local authority might tend to derogate from the influence and authority of the boards; but the appeal being made to the Education Department, whose impartiality could not be doubted, and which would be a Court of Appeal at a distance, many a man would hesitate before he appealed, and probably in very few cases would any appeal be made. He thought his hon. Friend (Sir Herbert Maxwell) might safely leave himself in the hands of the Vice President of the Council. The right hon. Gentleman (Mr. Mundella) had listened carefully on many occasions to the reasons which had been given in support of the proposals embodied in the Bill; and though he did not support it, he thought he would recognize that some advantage would arise from one or two of the clauses, if he could in some way or other give effect to them. He thought, if that were done, very great advantage would accrue to the schoolmasters, and the object which his hon. Friend had in promoting the Bill would be attained.

MR. MUNDELLA: I think the time has come when I may interpose in this debate with advantage, and without interfering with what would be said by private Members. I agree with most of the speakers that this has been both a useful and an interesting debate. The speech of the hon. Baronet in introducing his Bill was a very calm, temperate, and fair statement of the case; and I think I may say on the part of all the speakers that there has been very much sound argument, and there has been no bitterness or acrimony introduced into the discussion, with, if I may be allowed to say so, one exception. My hon. Friend the Member for Dumbartonshire (Mr. Orr Ewing) said that when I received a deputation I showed a total absence of sympathy with the memorialists in their position, and that I treated them in a sort of sledge-hammer way in my answer to them. I think he is the first man in this House who has charged me with a want of sympathy with the grievances of the teachers; and on the occasion in question—I have the report before me—I expressed the strongest possible condemnation of the injustice which was alleged in certain cases, and my greatest possible sympathy with the teachers; but I pointed out to them, and I wish to point out now to the House, that I did not think this was the measure to remedy those grievances. I believe the grievances which exist would only be exaggerated and increased, and that the teachers themselves would be the sufferers if the Bill passed in its present form. Now, the hon. Baronet (Sir Herbert Maxwell) opened his speech by apologizing for the drafting of the Bill. I assure him that when I complained to the deputation of the draft of the Bill it was no mere conventional complaint. I had submitted the Bill to the Scotch Education Department, and I have their Report before me, stating that it was the most extraordinary production they had ever seen; and I assure the hon. Baronet, if I were at this moment to accept the principle of the Bill, I should have to ask him to withdraw it, in order that it might be entirely re-drafted, because there are two important clauses which require re-drafting entirely, while the Preamble does not set forth all the general principles embodied in the Bill. The hon. Member declared himself decidedly against fixity of tenure. I am glad to hear that opinion expressed on all sides. There is no one who desires to re-enact the old system, under which the teacher held his office *ad vitam aut culpam*, which existed before the Act of 1872. I consider the 55th clause—and I know Lord Young so considered it—the very principle of the measure, that the local authorities in Scotland should themselves have the management of their own affairs, and that they should have the necessary powers and responsibility. That clause runs thus—

> "After the passing of this Act the right and duty of appointing teachers in board schools shall be in the respective school boards, and with the managers of the schools, who shall assign to them such salaries and emoluments as they think fit, and their appointments shall be during the pleasure of the school boards."

Now, Sir, I am glad, for the honour of Scotland, that, notwithstanding there are 984 school board schools in Scotland, and some 5,544 certificated teachers in that country, the whole number of cases of alleged grievance during the 10 years only amount to 25. That is just the number that has been stated; and I think nobody bore stronger testimony to the impartiality and efficiency of these school boards in the discharge of their duty than the hon. Gentleman who introduced this measure. He says, in one or two instances, errors have been committed, and in other instances personal motives have been introduced. When the teachers came to me I said I had great faith in the justice of their countrymen, and that I believed that if the matter were left in their own hands it would, after all, be the best remedy for the grievance of which they complained. Now, am I justified in making that statement? Take the two worst cases dwelt upon to-day—the Leswalt and the Scone cases. In the Leswalt case the teacher was no sooner discharged than he obtained a new situation at £50 a-year advance of salary; and so important was the act of the school board considered, and so unjust, that the deputation stated to me on Saturday last that two noblemen went from London on purpose to vote against the Leswalt school board, and the offending members of it were turned out at the very last election. A few weeks ago the same thing happened in the Scone case. That shows that publicity and public opinion are sufficient in Scotland to pronounce against this system of persecution; and that, after all, is the most efficient remedy. Now, I cannot speak in too strong terms against the persecuting of any teacher for what has been described as microscopic differences in theological opinion. It seems almost incredible that at this time of day in Scotland, or anywhere else, such considerations should influence the acts of a school board; and I cannot believe the cases are numerous. But am I, because of those few cases, to hamper all the school boards of Scotland. I believe they are mainly composed of good, self-denying Christian men, doing real good service to their countrymen and making great sacrifices in order to promote the education of the young. I think it is rather too hard to say that they are simply the best customers of the publicans. I doubt whether that is the case in any school board; and I hope it is not either in England or Scotland. [Mr. ORR EWING: It was only one case.] I am glad it is only one case, though I thought the hon. Member made it more general. He spoke, however, of hundreds of cases of oppression, and tried to make an analogy out of the epidemic effect of "Boycotting." I think that was rather an exaggerated view to take of it; and I do not think that anything that has happened in Scotland would justify such a wholesale denunciation of the school boards of the country. Now, let me state to the House why I think we cannot accept the principle of this Bill. I say at once to the hon. Baronet that I quite agree it is a serious thing to dismiss a teacher, and it ought not to be done without due consideration. It ought not to be done, indeed, without full publicity and with good reason. I agree with him that there ought to be ample notice before the teacher is dismissed, so that every member of the school board should know what he was about to consider; so that the teacher might not be dismissed by a chance decision, or by any caprice on the part of one or two individuals in the board. And in that view I should be ready to consider whether we could not embody the principle of the 3rd clause in a measure for next Session, at all events, securing for the teacher that he shall not be suddenly or capriciously dismissed without due consideration and due notice on the part of the school board. But I cannot accept the principle of the Bill, and I will state distinctly why. The Bill would, in my opinion, rather increase the discord between teachers and the school board than diminish it. The effect would be this. Suppose, for instance, a teacher is dismissed, not for any fault of conduct, but simply for incapacity, or that he does not satisfy the expectations of those who employ him, or that a better teacher could be had for the money; and suppose we should introduce into the Code the recommendation of the hon. Members for Falkirk (Mr. Ramsay) and for the University of Glasgow (Mr. J. A. Campbell)—a recommendation to the Commission, that in every parish there shall be one higher teacher. Why, there are cases every day where, from mere incompatibilities of temper or from some defect in management, teachers have to be removed. Well, if a teacher is removed, and appeals to the Education Department, and the Department proceed to inquire into the whole case—I do not know what sort of machinery the hon. Member proposes for this. A Commission would be most expensive and cumbrous. And, suppose, as the result of the investigation, the teacher was found to be rightfully dismissed, you are putting an additional stain upon that teacher. He could not go and get employment immediately afterwards. It would be registered against him in the Education Department. He has recently, say, given way to habits of drinking. We have heard of such a case; and if the allegation is proved to our satisfaction, it must come upon his certificate, and every person who wants to employ that person afterwards would have a right to inquire at the Education Department why is that man dismissed? The effect would be to deprive that man of any hope in the future. Suppose we decided against the school board? The noble Lord (Lord Colin Campbell) rather astonished me with the suggestion that in that case we should dismiss the school board. But suppose we were to dismiss the school board, and the parishioners did not agree with our action, they would re-elect the school board again.

Lord COLIN CAMPBELL: I said dissolve the school board, in the event of the decision of dismissal not being supported by three-fourths.

Mr. MUNDELLA: Well, suppose we dissolved the school board, does the noble Lord mean that there is to be no school board in that parish?

Lord COLIN CAMPBELL: Let there be another re-elected.

Mr. MUNDELLA: Another re-elected. Well; but if the parishioners were in agreement with the school board, and not with the master, they would simply re-elect the old school board, and the old school board would set the Education Department at defiance. They would say—"We are here representing the ratepayers, and what shall we do? You have told us we cannot dismiss this man; but what we can do is this—we can assign to him such salary and emoluments as we think fit." And the first thing they would do would be to reduce his salary, and make his life a burden to him. And what would be the educational consequences? After all, this is not so much a question of school boards as of what will be the effect of this upon education. Now, the hon. Baronet said he has made provision in the 6th clause for suspension. He says, in the event of inquiry by the Department, such resolution shall not take effect till the decision of the Department be given, provided it shall be lawful simply to suspend him. Suppose during the holidays the teacher is suspended, and he cannot be employed. We send a Commissioner from London to inquire into the alleged offence, and we hear both sides of the question; but until we have brought that evidence to London we cannot arrive at a decision. For three months that school board may be deprived of its teacher, and who is to provide for the teaching during that time. The matter seems to me, on the whole, to have been exceedingly well and temperately argued, and I think the general sense of the House is that the principle for appeal cannot be allowed. I cannot, first, on account of the drafting of the Bill, and next, because of the principle of the Bill, which, after all, is the appeal, assent to the second reading. But I make this appeal to the hon. Baronet. I agree with him that there ought not to be any accident, or chance, or suddenness, or irregularity in the dismissal of a teacher. I think it is an act which should be performed after due notice and due formality, and, if I may say so, with due solemnity; and in order to effect that, I am willing to consider whether we could not at the present time, or next Session, frame a short Act which would accomplish that object. And I would recommend the hon. Baronet not to put the House to the trouble of a division, because a division would negative the whole and every clause of the Bill; whereas, if he withdraws it, accepting the assurance which I have given him, I will endeavour to investigate the whole case very carefully before next Session, and introduce some measure which shall produce the result which I have promised.

Sir HERBERT MAXWELL expressed his satisfaction with the discussion, which, he thought, had been of an instructive character. He was glad to have drawn from both the Vice President of the Council and the Chairman of Committees their acknowledgment that he had so far made good his case that there did exist a grievance, and that they saw their way, to some extent, to redress it. The promise which the right hon. Gentleman the Vice President of the Council had given to him was not very precise. He did not know that the right hon. Gentleman had security of tenure himself for next Session, so that he could hardly pledge himself against that time. But he was willing to risk that; and in consideration of the right hon. Gentleman's undertaking, he would act upon the principle of "A bird in the hand is worth two in the bush," and withdraw the Bill, in the hope that the right hon. Gentleman would introduce a measure embodying his promise; and he was sure that his promise would be accepted, as far as it went, by the teaching body in Scotland as satisfactory. He begged to ask leave to withdraw the Motion for the second reading.

MR. MUNDELLA said, that if the Scotch Members were agreed upon the 3rd clause of the Bill—he could not hold out any promise with regard to the 4th, except that he would consider it—he did not know why the hon. Baronet should run the risk to which he alluded. The Lord Advocate would draft the Bill; and he did not see why they should not pass it through the House this Session, if it was at all possible.

Amendment and Motion, by leave, *withdrawn.*

Bill *withdrawn.*

CHURCH PATRONAGE BILL.—[BILL 53.]

(*Mr. E. Stanhope, Mr. J. G. Talbot, Mr. Stuart-Wortley, Mr. Stanley Leighton.*)

SECOND READING.

Order for Second Reading read.

MR. E. STANHOPE, in moving that the Bill be now read a second time, said, that he could not claim any originality in the matter, as it dealt with a question which had been entirely threshed out. It had been considered by a Committee of the House of Lords and by a Royal Commission; and so far, therefore, as inquiry outside the House was concerned, he could safely say that it was altogether exhausted, and that the time had come when some further steps should be taken. The evils that existed in the system of patronage in the Church of England had been clearly proved, and were so well known to the House, that he could take up any part of the short time that remained by describing them. The Church, at any rate, was anxious to diminish these evils, almost all the clergy and the great majority of laymen being in favour of the Bill. The measure had been submitted to nearly every Diocesan Conference in England, as well as the Central Council, containing representatives from the various Conferences, and all alike had expressed approval of it. Moreover, a very large number of gentlemen belonging to the various Dissenting Bodies in the country had expressed cordial approval of the principle of the Bill, although they did not commit themselves to its details. His proposals were not to be construed as containing any attack, either upon private patronage or upon lay patronage, both of which were, in his opinion, of the greatest value in their ecclesiastical system. So far from wishing to destroy the system of private and lay patronage, he should desire to see it extended, though in an improved form, under the provisions of this Bill. The first evil in the present system which the Committee had pointed out was the secrecy with which these transactions were conducted; many of the other evils could not exist to anything like the present extent if publicity could be secured. One object of the Bill was, therefore, to secure publicity by providing that a register should be kept by the Bishop of the diocese, so that everything connected with advowsons should be known. Then there was a provision by which, before any clergyman could be instituted to a parish, notice was to be given to the parishioners, who, if they pleased, might lay before the Bishop certain definite grounds of objection to his appointment. Those grounds must consist of physical, mental, or moral incapacity for the duties of his office; and if the Bishop should consider them proved, he was given the power to refuse to institute to the benefice. It might be said that the power to refuse to induct existed at the present time;

but the power was of so vague and theoretical a character that the Bishops hardly ever acted upon it. It was the object of the Bill to make this power clear and unmistakable. The second cause of the evils connected with patronage was the sale of the office of minister of a parish—in other words, of the next presentation. If a living were full, the next presentation could be sold; but if vacant, it was illegal to sell it. A sale was legal if made only the day before the occupant of the benefice died; but if it were wrong to sell the living the day after his death, it was wrong to sell it the day before. In consequence of no moral guilt attaching to the parties, and also of the uncertainty of the law, it was evaded all over the country. In some cases the contract was made when the church was full; but the payment of the purchase money was deferred until the avoidance took place. In other cases the purchase money was paid at the time of the contract; but the vendor paid interest on it until the avoidance. In both cases the sale was practically completed when the living was empty and the law was evaded. A clerical agent wrote—

> "In a case which came to my knowledge a patron had two livings, and presented a relative to one of them. The second living subsequently became vacant, and was offered to and accepted by the relative, in lieu of the one he held. At the instance, however, of the patron, he retained legal possession of the first living until the patron had effected the sale of the next presentation, and then resigned it. It is obvious that this transaction was, in effect, the sale of a void presentation, and the price paid was regulated accordingly. The transaction was, however, perfectly legal, and was carried out with the full knowledge of the Bishop of the diocese."

The real object of the present law was perfectly clear; it was to prevent the sale of the office of the minister of the parish; but the law had failed in practice, and the result had been frequent scandal and great dissatisfaction. The object of the present Bill was to prevent these abuses by forbidding altogether the sales of next presentations. A Bill for this purpose passed this House 10 years ago, and went up to the House of Lords. The proposal had also received the approval of the Royal Commission. Since that time public opinion had ripened. But then it was said by some hon. Gentlemen opposite that the objections which he had put forward applied also to the sale of advowsons. Now, he held that there were two essential differences between the sale of an advowson and the sale of the next presentation to it; and the first difference was one of principle—one was a sale of property, the other was a sale of a spiritual office. The Bishop of Exeter said, in a charge quite recently delivered by him—

> "It is permissible to sell the office of patron, but wrong to sell the office of parochial clergyman. The office of patron is treated as property; property under the obligation to discharge very solemn duties, but still property to be dealt with and protected, like all other property."

Then the Royal Commissioners added in their Report—

> "There is a difference in principle between the sale of the advowson, which is the parting entirely with his trust and its accompanying advantages to the patron, and the sale of the next presentation, which is the allowing of another, for a pecuniary consideration, to discharge a duty which, so long as that trust is vested in the patron, it devolves upon him to perform."

And the second difference between the sale of an advowson and of a next presentation lay in the degree of evil caused by it. From the evidence upon which the Report of the Royal Commission was founded, it was perfectly clear that the evils arising from the sale of an advowson were not to be compared with those connected with the sale of the next presentation. The scandal was immeasurably greater. In his evidence Sir Robert Phillimore said—

> "The sale of next presentations, in my judgment, opens the door to simony in a way that the sale of advowsons does not, and your Lordships are perfectly well acquainted with the fact that it leads to a very great scandal in the mode in which the next presentations are put up to auction;"

and he went on to say—

> "The real scandal arises from the auction and sale of the next presentation."

He did not put forward his clause for the abolition of the sale of next presentations by any means as a perfect clause; it was a very difficult one to draw so that it could not be evaded; but he had introduced into the Bill a provision prohibiting the re-sale of an advowson until five years had elapsed from the last sale. He was quite prepared to consent to proper Amendments being introduced in Committee; but he appealed to the House not to wait for theoretical perfection, but to pass this measure, and so apply an immediate remedy without injustice or hardship. But these corrupt transactions had been enormously facilitated by the easy means of evading the law, which was furnished by donative benefices. This question had been considered very closely by the Lords' Committee and the Royal Commission. The Lords' Committee reported as follows:—

> "The attention of the Committee has been specially called to the evils arising from the present state of the law relating to donatives. The patron of a donative is not required to present his clerk to the Bishop for institution, nor is the clerk required, as all other beneficed clergymen are, to resign to the Bishop, but to his patron; while, on the other hand, the acceptance of a donative *ipso facto* vacates any preferment which the donee may have previously held. Abundant evidence has been adduced to show that the exceptional privileges attaching to donatives have been made use of to facilitate simoniacal and corrupt trafficking in preferment."

The manner in which the operation was conducted so as to evade the law by means of donatives was stated in the evidence before the Lords' Committee. One witness stated—

> "A clergyman called upon me one day a few years ago, and requested me to carry out the sale of an advowson; he was an old family client; he was the patron and incumbent of the living; he knew perfectly well that his Bishop objected to accept a resignation in cases where the patron was also the incumbent, and had made a sale; and he told me that he had arranged with a particular clerical agent, who kept two or three of those donatives in his pocket, to purchase one of those donatives for £100. He was then, having sold his own living, to appoint himself to this donative; and then, when the living thereby became vacated, and the purchaser was presented to the living that was sold, he was to sell back the donative to the clerical agent for the same price that he gave for it."

There were very few donatives in existence; not more than 60 or 80; and many of them were being used for purposes quite unobjectionable; but it was necessary to take steps to prevent the possibility of any of them being used for corrupt purposes. This Bill proposed that donatives should come within the jurisdiction of the Bishops like presentative benefices; and it was difficult to say what argument could be urged against it. As Sir Robert Phillimore had said, such a provision would be a benefit to the Church, and no injury to the patron of a donative, who would only suffer when he intended to make an improper use of it. Then he came to the Law of Simony. The existing law was frequently embarrassing to a clergyman's conscience when he had made his declaration on the subject, for nobody knew quite accurately what the law as to simony really was. The law was misleading and ambiguous. He, therefore, proposed to substitute a declaration that certain things had not been done, these being specified in a Schedule, and including all cases which undoubtedly constituted simony. Those were the provisions of his Bill. He was fully aware of the difficulty of the case, and that the provisions of the Bill would require careful consideration; and many Amendments might, no doubt, be suggested. There was a Bill before the House by the hon. Member for Huddersfield (Mr. Leatham), in which he made certain other proposals upon the subject. If any Amendments could be suggested to the present Bill, arising either from the provisions of that other Bill, or from any other quarter, he should be very glad to consider them. Therefore, if the House should be in favour of reading this Bill a second time, he should not object to its being referred to a Select Committee, as he wished the Bill to be made as perfect as possible. The Bill was his contribution towards putting the Law of Church Patronage on a proper footing; and he fully believed that, if passed, it would have the effect of remedying the evils that existed, and of imparting greater strength and vigour to the Church of England.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. E. Stanhope.*)

Mr. ILLINGWORTH, in rising to move the Amendment of which he had given Notice—namely,

> "That this House, while prepared to abolish all traffic in sacred offices in the National Church, objects to a measure which gives fresh sanction to the sale of advowsons, and would fail to put an end to the scandals of the existing system of patronage,"

said, that he might be allowed to express the gratification and satisfaction felt by many Members on that side of the House that the hon. Member (Mr. Stanhope) had at last found an opportunity of bringing forward this Bill, when there was, at any rate, some slight chance of both sides of the case being stated. There had been gross misrepresentation on the subject, as was shown by an extract from a speech by an hon. Member behind him, in which that hon. Gentleman stated that he thought this was a most excellent Bill, and he should have given it his hearty support, but it was blocked by Mr. Illingworth, the Member for Bradford, and 10 or 12 more of their Nonconformist Friends in the House of Commons. The hon. Gentleman confessed he could not quite understand on what principle they blocked it, except that the Nonconformists did not want the Church to be reformed, as a reformed Church would be stronger and more able to resist attacks from without than an unreformed Church. He (Mr. Illingworth) was glad of this opportunity, in order that not only himself but many other hon. Friends might clearly show to the House that not only had their conduct been consistent and not underhand, but, on the other hand, it had been actuated by the highest principles towards the Church as a religious Institution. When he was down in his own constituency, a friend of his gave him a letter which had been sent from the office of the National Church Reform Union, in which he was personally taken to task as having blocked the Bill. Besides that, the Bishop of Oxford, at the Diocesan Conference, did not hesitate to use, not only untruthful language, but made most ungenerous and un-Christian insinuations. It might be, of course, that the right rev. Prelate was misinformed; but it was no light matter for a dignitary of the Church of England, and a Member of the other branch of the Legislature, to bring charges and throw out insinuations against Members of that House, who were quite as sensitive as he was in regard to acting conscientiously, without previously making himself acquainted with the actual facts. He ventured to assert that political progress, or the progress of religious liberty, or the real welfare of the Established Church, had had no more implacable enemies than those who now or formerly sat on the Episcopal Bench. In reference to the measure brought in by the hon. Gentleman, it had been insinuated that those interested in this matter were not acting from the highest motives. He asked the House whether it was not largely due to his hon. Friend the Member for Huddersfield (Mr. Leatham) that Churchmen were now aroused to the injury which this system of Church patronage was doing to the Church itself. Perhaps the House would allow him to relate what took place in regard to two Bills of the hon. Member opposite. He sought to have their introduction as an unopposed Motion, and over and over again he sought to carry the second reading after the hour on Wednesday afternoon which prevented any discussion, and when only unopposed Business could be taken; but there was one exception to this, and that was that he tried to take them a little after 2 o'clock one morning when the House had been exhausted by the Rivers Conservancy and Floods Prevention Bill. The hon. Member proposed to initiate a discussion on the second reading of his Bill when the House was very thin. It was not expected the Bill would be introduced to the House, and it was impossible that any report could appear in the Press. The hon. Member himself had, unfortunately, been rushing into print; and he had not hesitated to insinuate that their tactics were not quite of a worthy character. The hon. Member spoke upon the Rivers Conservancy and Floods Prevention Bill; and he made an appeal to the Government to suspend the debate on account of the late hour, and then, after 2 o'clock, he himself proposed to begin a discussion on the second reading of a Bill, in their judgment, not less important. With the leave of the House he would in a few words tell them what had been the experience of the last few years in regard to legislation, or attempted legislation, on this subject. In 1874 a Committee was appointed by the House of Lords to inquire into the question of the sale and exchange of livings. The proposals of that Committee were, as might have been expected from the character of its nomination, of the mildest possible kind; for whatever the other House failed to represent, it, no doubt, thoroughly represented property and vested interests. In the recommendations of that Committee there was no proposal to deal with either next presentations or the sale of advowsons. All they proposed was to confer some new powers on the Bishops in order to enable them to deal with corrupt presentations. Individual property in presentations and advowsons was left untouched in any form. The Bishop of Peterborough brought in a Bill based on the recommendations of the Committee. It passed the second reading without a division, and then it was referred to a Select Committee. It was evident during those earlier and, in one sense, unopposed stages that there was by no means unanimity in the other House as to what was the remedy and what was the disease in the National Church in regard to patronage. The Bill was modified to some extent in that Committee. Then it passed the third reading, and made its appearance in this House in 1875. He wanted to ask who were the parties who prevented that Bill from passing into law on that occasion? Surely his hon. Friend was not charged with obstructing at that stage. That Bill made no progress in this House. The Conservative Party were in power at that time. It had three or four years after that of unbroken supremacy in this House of Parliament, as it always had in the other; but there was no attempt made to deal with the grievous offence of Church patronage. It could not be held that this House was overcharged with prospects of legislation so that there was no time to bring on other important questions. It was true that a Royal Commission was appointed to investigate the subject; but the composition of the Commission was such that its Report could not be considered exhaustive or national in its character. The hon. Member would, no doubt, tell them that his proposal was based on the recommendations of the Royal Commission. He failed, however, to see in the present measure any reference to sales of livings by public auction, which were considered to be a scandal to the Church of England as by law established. When they were told that they ought to be satisfied with the Report of the Royal Commission, he would ask how many curates were examined, and how many aggrieved parishioners? There were in all only 23 witnesses; two were members of the Commission; one was secretary to five or six Bishops; and, in the main, the witnesses were clergymen of the Church of England. If the Commission wanted to see the extent of the scandal and the strength of the national feeling, it might have been right to have examined the President of the Methodist Conference, and have asked for the opinion of his Denomination of the buying and selling of sacred offices. But the Church was treated as an *imperium in imperio*, and those outside it were kept at arm's length in regard to the management of its affairs. The time, however, was approaching when this would be no longer possible, if the House of Commons was to be responsible for the government of the Church. Why was it that the House of Lords, with its ample leisure, had not again ventured upon legislation? If it had, they would have learnt how far it was now prepared to go in the way of Church reform. In 1874 the recommendations of the Lords' Committee and the Bill of the Bishop of Peterborough were of the most meagre and timid character; but the Royal Commission went a great deal further; and, as public opinion was evidently on the move, if a little time were given it would be possible to carry a measure more worthy of Parliament than that now before it. Out-of-doors, the public did not recognize the distinction drawn by the hon. Member between the selling by retail of the next presentation and the selling by wholesale of the advowson; and he repelled with warmth the insinuation that the reform of the greater evil would do any injury to the Church. As a Church it could only be saved and cease to stink in the nostrils of the people—["Oh, oh!"]—he was using the words of the Bishop of Peterborough, spoken on this subject in the House of Lords—when it cut itself entirely free from the purchase or sale of clerical offices in any form. Of the 7,000 advowsons, one-seventh were always on sale; and it was very probable that the pressure of the times, and the pending changes in the Land Laws, would increase the number in the market. All that this Bill did was to prevent re-sale within five years. It was well known that a curate had little chance of promotion without wealth and favour; and if his father had a few thousands and proposed to buy a next presentation, and this Bill would say to him that he should not do that unless he had a few thousands more and could buy the advowson too, and though he could not re-sell the remaining interest for five years, there was nothing to prevent him raising money upon it. At a meeting of the Deanery of Eccles, Manchester, the clergy were found to be equally divided about this Bill; and in any general meeting of 2,000 or 3,000 persons, when all the facts were stated, the Bill would not receive the support of one in 100. Those who looked forward to a radical reform of the Church of England did so in no spirit of hostility to the Church. It could not be said that Dissenters had many grievances left; but they had a profound conviction that there was no effectual cure for the abuses and anomalies connected with the Church, except disestablishment and disendowment. There was not a timber that the dry rot had not seized. Many Churchmen felt that the Church would be better without State patronage and State control. It could not be denied that great abuses and anomalies existed in the Church; and it was unreasonable to expect that a democratic House of Commons should spend its time in a mere attempt to reform and re-cast an ecclesiastical system of government. In the United States, where religion was free, more had been done during the past 50 years in the cause of Christianity than had been done in this country with its Church Establishment and its high-placed ecclesiastic dignitaries. He begged to move his Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, while prepared to abolish all traffic in sacred offices in the National Church, objects to a measure which gives fresh sanction to the sale of advowsons, and would fail to put an end to the scandals of the existing system of patronage."—(*Mr. Illingworth.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. RAIKES held that the subject dealt with in the Bill had no necessary connection with the larger question of Church Establishment, and was of opinion that, so far as the measure was an evidence of increased interest taken by Churchmen in legislation, with a view to Church reform, it ought to be hailed with satisfaction. At the same time, he could not approve of it in its present shape. It was impossible to separate it altogether from the larger and bolder measure of the hon. Member for Huddersfield (Mr. Leatham), and he confessed he preferred the latter, because it was based upon an intelligible principle. Not often did he find himself in agreement upon ecclesiastical matters with the hon. Member for Bradford (Mr. Illingworth); but, like that hon. Member, he was unable to understand how it could be ranked as a sin to sell the next presentation, while it was a conspicuous virtue to sell an advowson. The question could be argued on moral grounds in connection with the Bill of the hon. Member for Huddersfield; but his hon. Friend (Mr. Stanhope) had given up the moral question altogether, by making provision for the transfer of advowsons, while absolutely prohibiting the sale of next presentations. He did not see how they could legislate upon the lines of this Bill without adding a clause providing for compensation. While the sale of advowsons had been frequently found convenient as a territorial incident, yet he did not see that it had worked so well for the Church as the transfer of next presentations during the last half century. Taking the good and the bad together, and admitting that the bad had been only too frequent, he was yet prepared to say that he believed the opportunity which had been given to the great mercantile classes of this country to associate themselves as patrons with our Church system, and the means of bringing in men of the middle class to positions of eminence and usefulness in the Church, had been very cheaply obtained at the expense of the evils which they all deplored. In the North of England it would be found that large numbers of men of no landed connection, who had made great fortunes, and whose sons had been trained at the Universities, would be unwilling to let their sons enter the Church unless as men of business, and as practical men they could look forward to making provision for them in the form of a positive stipend. That being so, he believed the sale of next presentations had been largely beneficial during the last half century. As to the alleged immorality of the traffic in sacred offices, he supposed that question must have been given up by those who voted recently for the Walton Vicarage Bill. He had no doubt that the hon. Members for Huddersfield and Bradford, true to their convictions, voted against that Bill, as he had, with equal consistency, voted for it. In regard to next presentation, his hon. Friend had introduced provisions in the latter part of his Bill, which, if they stood alone, would have enabled him cordially to support the second reading. It seemed to him that if a Bishop were authorized to refuse to ratify any presentation to which he thought there was anything equivocal or unsatisfactory attached, they would provide a much more satisfactory and perfect remedy for such abuses as had been referred to. If they brought such a provision into Clause 25 of the Bill, he believed they would do nearly all that was necessary to prevent these scandals. It would also be of very great importance if they inserted a clause to prevent sales by auction. There were some provisions of the Bill which appeared to him to be of a most irritating and unfortunate character, and which he trusted would be removed before the measure became law, if it ever did become law. He referred to the opportunities afforded by the mandate of the Bishop inviting the parishioners to pick holes in the coat of the clergyman, which would arise from the power given to any two parishioners of making representations affecting the moral character, or dealing with the physical or mental infirmity of the clergyman who was to be presented to the benefice. That communication was to be a privileged communication; and, therefore, there was to be no check upon the impulses of any of the parishioners. After a formal inquiry into the antecedents of the clergyman presented to the benefice, he should like to know of what possible usefulness that clergyman could be if two members of the Commission happened to be opposed to him and the rest in his favour? These were matters of which Churchmen could not speak too seriously or too carefully. He was bound to say that the resolutions passed at the Diocesan Conferences had been in favour of the Bill; but those resolutions simply amounted to this—that they approved of the Preamble of the Bill and nothing more. If this question was to be settled it seemed to him it would not be settled by a measure which only half-heartedly accepted the principle upon which the agitation was based, and, at the same time, wholly disregarded the rights of property, and which, therefore, had the double fault of conflicting with the moral theory from which it sprang, and with those doctrines of respect for property, which he hoped were not peculiar to the Upper House, but which he trusted were equally recognized in this House. If the course taken by a particular Deanery in Lancashire had been taken in other Deaneries, it would have been found that the Bill of the hon. Member for Huddersfield was, in many cases, preferred to that of the hon. Member for Mid Lincolnshire (Mr. Stanhope). If the Bill was sent to a Select Committee, it might be accompanied by the more drastic measure of the hon. Member for Huddersfield, so that the Committee might decide what portion of either could be rendered useful and satisfactory.

Mr. E. A. LEATHAM said, he regretted that the Bill had come on at an hour at which it was impossible adequately to discuss its provisions. But he wished very briefly to state why he felt no enthusiasm for the measure, and yet why he was unable to support the Amendment. In a great deal of what had fallen from his hon. Friend the Member for Bradford (Mr. Illingworth) he heartily concurred. He placed no reliance upon testimonials, declarations, and Commissions, so long as they left the root of the evil untouched. The evidence with which he had so frequently troubled the House proved that all these precautions were mere cobwebs when they were brought into conflict with the ingenuity of clerical agents, and with the state of the clerical conscience, such as it had become through the mischievous teaching of the traffic in livings. The House must remember that the root of the evil was not, as the hon. Member for Mid Lincolnshire (Mr. E. Stanhope) seemed to think, the secrecy which surrounded the transactions, or even the impurity and scandal which had gathered round the system. It was the system itself—the common sale of a public and solemn trust. This was a thing so repugnant to all our ordinary notions of what was right, and safe, and honourable, that nothing but long usage could have reconciled us to its perpetuation. It was not too much to say that if proprietary interests had not twined themselves around patronage, we should long ago have swept away the right of carrying the cure of other men's souls to market. And what he wished to point out was that, even if the Bill before the House became law—though we might have brushed away some of the scandals which attached to the traffic, the worst scandal of all would remain, and that was the traffic itself. For it was not the next presentation, it was the advowson, which was the favourite article of merchandize, and for obvious reasons. The bulk of this traffic was carried on by clergymen, and clergymen being prohibited from purchasing next presentations for themselves, went naturally into the advowson market for what they required, while the whole advowson being purchaseable at a trifle more than the next presentation, there was no sufficient reason why they should not do so. Mr. Stark, who catered delicately for the clerical appetite, in a recent circular, advertised particulars of of 110 adowsons, but only of 22 next presentations. The Bill, therefore, before the House would only touch a fraction of the traffic; and he should like to show, if there were time, that any moral considerations which impelled them to prohibit the sale of next presentations equally impelled them to prohibit the sale of advowsons. He was aware that an attempt had been made to-day to set up a moral distinction between the two transactions. They were told that the man who only sold the next presentation retained his trusteeship, and was still responsible to the parish. This was a practical fallacy. The man who sold the next presentation for all practical purposes, and probably for his lifetime, made as complete a renunciation of his trust as if he had sold the advowson outright. Again, the motive of the man who sold the advowson and of the man who sold the next presentation were identical. It was the desire of turning his trust into money, and of the two offenders he thought the advowson seller the bigger, because be put a bigger sum into his pocket by the sacrifice of his trust. The motive of the purchaser, too, in 99 cases out of 100, was the same. He purchased an advowson, not from a laudable desire to become the patron of a parish, but with a view to the next presentation, and with an eye to his own preferment. The immorality, therefore, in either case was the same. It was the trafficking in trusts. Well, if this was his (Mr. Leatham's) opinion, and if he regarded the Bill before the House as most incomplete and inadequate, he might fairly be asked the question why he was not going to support the hon. Member for Bradford's Amendment? His reason was a very simple one. So far as the hon. Member for Mid Lincolnshire went, he went upon the clear understanding that this species of property was permeated through and through with the notion of a trust; and it was because he (Mr. Leatham) never would believe that when they had once seriously begun to deal with this species of property upon that basis, Parliament would ever cease dealing with it, until they had made the trust supreme, that he should vote for the second reading of the Bill.

Mr. HIBBERT said, that on the understanding that his hon. Friend opposite had offered to allow his Bill to be referred to a Select Committee, and would offer no objection to the Bill of the hon. Member for Huddersfield being referred to the same Committee, he thought that would be the best means of dealing with the question.

Mr. ILLINGWORTH could not concur in the suggestion of the hon. Member for Oldham, as he did not look upon the Bill as containing any merits whatever.

Mr. RICHARD said, that as the discussion had been very partial and unsatisfactory, and as there were many hon. Members who desired to express their views, he should move the adjournment of the debate.

It being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

MOTION.

TRAMWAYS PROVISIONAL ORDERS (NO. 2) BILL.

On Motion of Mr. Ashley, Bill to confirm certain Provisional Orders made by the Board of Trade under "The Tramways Act, 1870," relating to Great Yarmouth Tramways, Highgate Hill Tramways, Isle of Axholme and Marshland Tramways, North Shields and District Tramways Extension, Pontypridd and Rhondda Valley Tramways, Staffordshire Tramways (Extension), Sunderland Tramways (Extension), and Weston-super-Mare Tramways, *ordered* to be brought in by Mr. Ashley and Mr. Chamberlain.

Bill *presented,* and read the first time. [Bill 149.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 4*th May*, 1882.

MINUTES.]—Public Bills—*First Reading*—Marriage with a Deceased Wife's Sister * (75); Militia Storehouses * (76); Places of Worship Sites Amendment * (77); Roads Provisional Order (Edinburgh) * (78); Municipal Corporations (Unreformed) * (79).

Third Reading—Local Government (Ireland) Provisional Orders (Ballymena, &c.) * (57), and *passed*.

EDUCATION DEPARTMENT—ELEMENTARY EDUCATION, ENGLAND.

QUESTION. OBSERVATIONS.

Earl SPENCER: As I see my noble Friend (Lord Norton) opposite, I wish to ask him a Question, of which I have given him private Notice. My noble Friend has given Notice of a very important Motion connected with Education, which he proposes to introduce to your Lordships to-morrow night. It is a subject of the deepest possible importance, not only as being connected with the New Code, which has been discussed in "another place" and in the country generally, but also as relating to the whole system of Government grants towards Elementary Education in this country. Consequently, whoever holds the responsible position which I do, as the Head of Her Majesty's Privy Council, ought to deal with the subject with great care and deliberation. My Lords, I had, consequently, looked forward to taking part in the discussion which must arise on the Motion of my noble Friend; but your Lordships will understand that circumstances have occurred during the last few days which have rendered it impossible for me to bestow that care, time, and attention to the subject which its importance deserves. I should regret to have to deal cursorily, and in a slight manner, with so important a subject; and, therefore, I must ask my noble Friend whether he will kindly postpone the Motion which he has on the Paper for a few days, so as to enable my noble Friend the Lord Privy Seal (Lord Carlingford) to make himself acquainted with all the circumstances of the case? I should also like to take this opportunity of saying one or two words upon the general question, without going into the merits of the case, which are not wholly personal to myself, but are due to certain others connected with the Education Department. This subject of the revision of the Code was really entered upon in the Session before last in your Lordships' House. It was in response, I believe, to a request made by my noble Friend that I undertook that the Education Department should look into the subject. I am, therefore, personally connected with the deliberations on this subject; and I need hardly say that during the last year and a-half my constant attention has been given to the best method of carrying out the important pledge which I gave to your Lordships. I feel the deepest interest in the Code, which will be more fully discussed in this House on some future occasion. As the Head of the Education Department, I am directly responsible for it; and I therefore regret the circumstances which will prevent my taking part in the debate. At the same time, I feel I owe to others some recognition of the great services which they have rendered to the cause of the education of the country, and of the manner in which they have dealt with the subject. Your Lordships are aware that, at the present time, the Government have the advantage of the services of a distinguished Gentleman (Mr. Mundella), who has had a long and continuous experience in education, as Vice President of the Committee of Council. He has given, I need hardly state, the greatest possible time and attention to the consideration of the subject. I am quite sure everybody will give to him what credit is due for the excellence of the New Code. There are others connected with the Education Department who have done eminent service in this matter. I allude to those who are in the Education Office, particularly to Sir Francis Sandford and several members of the Department. From their knowledge of the Old Code, which has really grown up under their supervision, they were able to bring an amount of knowledge and experience to bear upon the work without which our labours would have been entirely futile, and the Code would not have been brought to its present state. We have also had the assistance of some of the most distinguished Inspectors of the Department, and I wish to give to them and all those who have taken a part in this work of no ordinary labour my best thanks for the valuable assistance which they have rendered us. I thought I might take this opportunity to render my own personal thanks to all those gentlemen for what they have done with regard to the Code.

LORD NORTON said, he was extremely sorry a second time to be obliged to postpone his Motion, especially as the New Code had received scant attention in the other House of Parliament, owing to the overwhelming pressure of other matters, and none in that House, although the country took the greatest interest in the question, as he knew from the enormous number of communications he received from all parts of England. He had intended to make no attack upon the Lord President of the Council. It was rather to acknowledge a debt of gratitude to the noble Lord and his Colleague the Vice President for the great attention they had given to the question, and to call the attention of their Lordships to the general merits of the Education Code. It was impossible for him, in the present circumstances, to resist the appeal of the noble Lord; he could only hope that the arrangements of the Government would be such that the postponement would be as short as possible. In these circumstances, he would postpone the Motion of which he had given Notice.

THE MARQUESS OF SALISBURY said, he wished to know whether the postponement was to be till the noble Earl's return from Ireland? He should also like to know when that event was likely to take place?

EARL SPENCER said, that one reason for asking for delay was that his noble Friend the Lord Privy Seal (Lord Carlingford) would undertake his duties during his absence, and would require some few days before he could deal with the matter. His noble Friend would be ready to accede to the proposal of his noble Friend opposite in a week or 10 days.

ARMY—THE COMMITTEE ON MUSKETRY INSTRUCTION—THE EVIDENCE.

QUESTION. OBSERVATIONS.

VISCOUNT HARDINGE rose to ask the Under Secretary for War, Whether any portions of the Evidence taken before the War Office Committee on Musketry could be laid on the Table of the House? The noble Lord said, he could quite understand why the Report and Evidence *in extenso* should not be laid on the Table; but, he thought it desirable that portions of the Report should be made available to the public. Great interest was taken in the subject in military circles. It was particularly desirable in the case of the Cavalry. He wished to make one or two suggestions on the subject. The first was that the number of rounds fired by the soldiers should be increased. As to the Volunteers, a man became efficient if he merely fired 60 rounds; but, in his opinion, some higher test should be exacted, and more encouragement should be given to the Volunteers to induce them to shoot better. He hoped his noble Friend would see his way to making that increase. Secondly, that the Government should grant sums in aid of regimental rifle clubs. Those clubs were of great use, and in some regiments were largely assisted by the officers. He thought it desirable, too, that steps should be taken to improve musketry instruction in the Militia and the Militia Reserve, particularly the latter, which he regarded as a most valuable arm of the Service. Musketry practice underwent a revolution every year in consequence of the successive improvements in the manufacture of fire-arms, and it was of the most vital importance that precision and skill in firing practice should keep pace with those improvements.

THE EARL OF MORLEY said, he was not surprised at the anxiety of the noble Lord to obtain information on this important subject. There was no point of the noble Viscount's speech with which he was unable to express his concurrence. The Report of the Committee could not be presented in its entirety. The fact was that the Report was of a very confidential character, and so was the evidence. The Secretary of State for War was, however, now considering what parts, if any, of that Report and Evidence could be laid on the Table of the House, and his decision, no doubt, would be arrived at at no distant time. With regard to the various suggestions of his noble Friend, he could make one observation which he believed would be extremely satisfactory to him. It was proposed at once, if, indeed, it had not been done already, to issue a considerably increased quantity of ammunition to the Army generally. For the future, the men would be supplied with 150 rounds per annum, and the amount served out to the recruits would be increased from 90 to 150 rounds, while that issued to the Militia would be very much increased. As regarded the question of musketry instruction for the Militia, he could not then go into the subject at length; but there could be no doubt that the time which was available for men of the Militia to go through that course was very short indeed. He quite agreed with what had fallen from the noble Lord with reference to the Volunteers. He thought it extremely desirable that more encouragement should be given to induce them to improve their shooting, and it was the intention of the Secretary of State to deal with that matter this year. The other questions to which the noble Lord referred affecting the musketry instruction of the Army were under the consideration of the Secretary of State, or of his Royal Highness the Field Marshal Commanding-in-Chief. That consideration had reached an advanced state, and he hoped before long regulations would be issued regarding them.

ARMY—ROYAL MILITARY COLLEGE, WOOLWICH—PROFESSOR BLOXAM.

QUESTION. OBSERVATIONS.

Lord TRURO rose to ask Her Majesty's Government, Whether their attention has been called to a pamphlet written and circulated by the late Professor of Chemistry and Physics at the Royal Military Academy at Woolwich; whether the statements therein contained are undisputed; and if so, what steps, if any, are to be taken to protect professors from the treatment to which Professor Bloxam has been subjected by the military governor and the gentlemen cadets; and, further, to ask with whom rests the selection of the officer for the appointment of governor, the names of the governors who have successively held that post since 1870, and the period during which they have respectively enjoyed it? The noble Lord said, he wished he could have put these Questions without remark. The subject to which he should refer was of a very painful character, but was one to which he was sure those among their Lordships who had read the pamphlet issued by Professor Bloxam would be ready to give their attention and consideration. That pamphlet presented a state of things in the Royal Military Academy which was deeply to be deplored, and which must interfere materially with the advantages of that Academy, both to the Military Profession and the public generally. Professor Bloxam entered on his duties as Professor of Chemistry at the Academy in 1856, and continued to hold that appointment down to February 1882. When he first entered on his duties, there were at the Academy an Inspector of Studies, an Assistant Inspector, and a lieutenant, who were specially detailed to parade the gentlemen cadets, and maintain silence and attention during the lectures. In 1870 those three officials were removed and a Board substituted, before which the Professor was to attend and lay any complaint he had to make. The withdrawal of those three officers had been disastrous. On two occasions, and on two only, did Professor Bloxam attend the Board to make suggestions of improvement. Upon the second occasion he represented to the Board that the pupils ought not to be allowed to obtain permission from the Governor to absent themselves from the lectures, in order to indulge in games of football and cricket. The result of that complaint was satisfactory, both to the Professor and to the pupils. But, strange to say, from that day the Professor was never called before the Board again, although he had the gravest possible charges to make. One was that the tone of the cadets was so degrading as to be utterly abominable and unendurable. And another was that on one occasion no less than 12 gas-jets were turned on in the neighbourhood of the laboratory at the risk of the fumes passing into the laboratory. Had an explosion occurred the whole of the east wing of the building must have been blown to atoms. There could be no doubt that on the withdrawal of the three officials, insubordination began; and, although the Professor showed the utmost tact and temper, the state of things became completely intolerable. He therefore wrote to the Governor, stating that his health had been suffering from the great anxiety which he experienced in carrying on his lectures in the midst of so much insubordination among the pupils, whose behaviour distracted his attention. The truth of that statement was soon proved, for, at the end of 1879, the Professor was taken ill, and, notwithstanding, he was called upon to continue his lectures to the end of the term. In the early part of 1880 he returned to his duty, by which time a new Governor had been appointed. On July 5, Professor Bloxam wrote to the Governor of the Academy that the teaching of a great number of subjects had been laid upon him beyond those which he had originally undertaken to teach, and that the salary of £600, which he was to receive, had not been paid. He also complained that the conduct of the majority of the boys who came to him for instruction was that of boys in an ordinary boarding school, with a very low standard of moral and religious instruction. To that letter the Professor received no reply whatever; but, having been compelled on one occasion to dismiss the class at a moment's notice in consequence of unseemly conduct on the part of the cadets, he received a message from the Governor through the secretary to the effect that he had adopted an extreme measure in dismissing the class. Having directed, with the view to preserve order, that the outer doors should be locked after the second bell had rung, the Professor received a memorandum from the Governor, commencing " Mr. Bloxam," without any of the usual terms of courtesy, and directing him not to lock the doors. The Professor having explained the reason that had induced him to order the doors to be locked, he received another abrupt communication, in which he, a Professor of 30 years' standing, was ordered to obey the directions of a Governor of 12 months' standing, such communication not even being enclosed in an envelope, and being partly written by a clerk. Professor Bloxam was next written to by the secretary, that an orderly officer would be sent to the class-room to attend the lecture, and that the door was not to be locked, as that it was an indignity to the class. Professor Bloxam replied that the class did not regard it as an indignity. Such was the gist of the correspondence which had taken place, as shown in the pamphlet from which he was quoting. The remainder of the pamphlet related to Professor Bloxam's retirement. The Professor received a civil communication from the Governor, through the secretary, stating that he had made some proposal to the War Department, with the view of continuing for another year his instruction at the Academy, in order to complete the seven years; and he wrote a letter respectfully but distinctly declining that proposal, observing that for several years he had represented to the Governor of the Academy the necessity of certain alterations in the discipline of the classes, to enable him to continue to give instruction without undergoing so much suffering and degradation from the riot and obscene conduct of the students. The condition of the Royal Military Academy was not one which the country had a right to expect, and could not be one which gave satisfaction to the military authorities. Was the position of the Governer of the Royal Military Academy that of a sinecure for superannuated merit? Was it a grateful retreat for pompous imbecility? Was it a resting-place in a land of promise for high ability and legitimate ambition? He said it was not one of those things, and he wanted to know what it was. Was the post of Governor one of strict supervision or not? Was it one under which such atrocities could be committed as that the lecture-room, the lobby, and the passages could be covered with obscene and filthy drawings of every description without their being removed? [*Murmurs.*] He was only quoting that pamphlet. Were there any duties attaching to the position of Governor, and was it conceivable that they were adequately fulfilled on behalf of the public? He believed that, however able the distinguished officers selected for that post might be, however high their scientific attainments, however well fitted for command in the field, for a period of 10 years they had not shown themselves qualified for the position of Governor of that Institution if the statements in that pamphlet were correct. What would be said of the Head Masters of our public schools if such a state of things existed in them? The schools would be ruined. He could not receive a pamphlet like that without feeling it his duty to call their Lordships' attention to it; and he concluded by asking the Under Secretary of State for War whether that Institution was to be continued in its present condition, or what steps the Government thought it advisable to adopt in future, with a view either of remedying its defects or of entirely abolishing it?

THE EARL OF MORLEY said, that the noble Lord at the beginning of his speech had told them with very great frankness that he would reverse the usual course in regard to putting Questions in that House, by giving information instead of asking for it. He thought, however, that, for the sake of Professor Bloxam, the noble Lord would have acted more wisely if he had exercised a little more discretion in respect to the information he afforded to the House. It would have been still more prudent if the noble Lord, after asking him whether certain statements were undisputed, had waited to hear the answer to his Question, instead of hastily accepting the injurious statements contained in a pamphlet, affecting most distinguished officers. He (the Earl of Morley) protested in the strongest way against the sweeping assertions made by the noble Lord upon the evidence of a pamphlet written by Professor Bloxam under feelings of strong personal irritation, and without hearing anything by way of counter-statement. He would answer the first Question of the noble Lord by saying that the selection of the Governor of the Royal Military Academy—and the appointment was one of great importance—was made upon the recommendation of his Royal Highness who occupied a seat upon the Cross Benches, subject to the approval of the Secretary of State in the same manner as all other appointments to military commands. He would also give the names of the gentlemen who had held that appointment since 1870. In that year Sir Lintorn Simmons was selected, an officer so distinguished that it was unnecesary for him to say anything further respecting him—he was one of the most distinguished and most practical officers who had ever held the post at Woolwich, and the changes of which the noble Lord complained were introduced by him in accordance with the recommendation of a Royal Commission. Sir Lintorn Simmons was followed by Sir John Adye, and Sir John Adye by General Browne, the present Commandant; and he asked their Lordships whether these distinguished officers were examples of "superannuated merit or pompous imbecility?" They were officers whose reputation was known throughout England. Indeed, the case of Professor Bloxam had been put before their Lordships in such a way that it was hardly necessary for him to say much in reply, except as a matter of courtesy to his noble Friend. The gravamen of the noble Lord's first charge was that discipline had been seriously impaired in consequence of the changes made in 1870—changes for which no reason had ever been assigned. Now, if the noble Lord had read a few paragraphs of the Report of the Royal Commission of 1869 he would have seen that there was ample reason for them. Their object was to give to the Professor a better status. Before 1870 the condition of the Royal Military Academy was not at all satisfactory, and the Commission of 1869 issued a long Report on the subject. Among other changes, a Board of Visitors was established. It was also suggested that considerably wider powers should be given to the Professors, in order to enable them to maintain discipline themselves, instead of by the objectionable and degrading practice of having an officer or a corporal present for that purpose. Professor Bloxam, however, though doubtless an eminent chemist, did not appear to have been very happy in his management of young men, and one sentence in a letter he had written was a sufficient condemnation of his attitude, and ought to have restrained him from uttering charges which for the most part were groundless. The Professor wrote—

> "I must either at once discontinue my lectures or disobey the Governor, and I choose the latter course."

Professor Bloxam, he thought, should first learn discipline himself before complaining of the want of it in others. His position with respect to the renewal of his appointment was exactly the same as that of any other Professor. He had applied in 1870 for a renewal of the Professorship and had obtained it, though he had not obtained an increase of salary for which he had applied. It was quite a mistake to suppose that a hearing—an indulgent hearing—was not granted to any Professor who desired to address the Board of Visitors, and unless he had much better evidence he should decline to give credit to any allegation to the contrary. He did not think it necessary to reply at length to the statement which had been made about the correspondence; but he was informed that it was the custom to minimize the amount of correspondence as much as possible, and complaints and suggestions were received at a monthly conference of the Professors with the Commandant held for that purpose. The question also of the repairs was so slight that it was unnecessary to trouble the House with it. With regard, however, to the statement respecting the increase of salaries, the noble Lord was in error. The salary of the Governor and of the secretary and treasurer had not been increased, but was precisely the same as it always had been, except in the case of the treasurer, whose salary had been diminished. The increase alleged by Professor Bloxam resulted from the fact that whereas now the pay of the Governor and secretary was consolidated, formerly it consisted of special pay and half-pay, and, consequently, appeared in two different Votes of the Annual Estimates. Professor Bloxom could easily have ascertained this before making this allegation. He thought, therefore, that the charges against the Academy had not been made out The fact was the statements in the pamphlet were exaggerated. It was most unfair to the gentleman cadets and all who were connected with the Royal Military Academy that such charges should be brought against them as were brought by the noble Lord on the *ex parte* evidence of such a pamphlet as that from which the noble Lord quoted. At the same time, the Secretary of State did consider that he ought to call for a Report, and until that Report came he did not propose to enter more fully into the question.

LORD TRURO said, that he disclaimed all idea of giving offence to the distinguished officers who had filled the post of Governor. His object was simply to show that there were grounds for an inquiry into the mode in which discipline was maintained in the Institution.

THE DUKE OF CAMBRIDGE said, he was bound to protest against the statement which had been made by the noble Lord on this subject. It was true that he had tried to explain away the charges which he had made against the distinguished officer who filled the important position of Military Governor of the Academy; but he had made charges not only against the present Governor, but his predecessor, and his whole argument went to show that from 1870 the condition and discipline of the Academy had not been what they ought to be. It was his (the Duke of Cambridge's) duty to make the appointments to the post of Governor, subject to the approval of the Secretary of State, and he defied the noble Lord to prove that he could have appointed two more efficient or distinguished officers to fill this post than he had. The arrangements now in force at the Academy were simply those which had been proposed by the Royal Commission for the altered state of circumstances. Cadets were entered at a more advanced age, and it was found that the arrangements for the discipline of youths were unsuited to men. Whatever Professor Bloxam's ability as a lecturer might be, from what he had heard he believed he had not the tact to properly manage a class, and this was corroborated by the fact that none of the other Professors had made complaints as to their classes. In these circumstances, he could not but think that the Professor was more to blame than the students. Where was Professor Bloxam's discipline? He went against the rules of the College, and locked up the door of his class-room, that in itself being enough to produce disorder. He thought the Professors should understand that to carry on a controversy or even a correspondence with the Governors was clearly a most objectionable course to take, and he thought it a great pity that Professor Bloxam had ever written at all. He did not hesitate to say that if he had been the Governor he should not have taken the slightest notice of the letters. The noble Lord had thrown out insinuations to the effect that the cadets were subject to very little discipline and received little or no instruction. Such insinuations were altogether unworthy and contrary to the fact, for he could himself say that, with a very few exceptions, the discipline had been extremely creditable, and the exceptions he referred to arose from their being short of officers. The officer who had made the last inspection said that the cadets were the best set of young men he had inspected. Many of their Lordships had gone through the Academy, and could bear witness to its general condition of efficiency. He considered that many statements in the pamphlet were ridiculous and not worth answering; but he could not in justice to the distinguished officers who had filled the post of Governor refrain from justifying the appointment, and even in justice to himself, who had made it.

EARL GRANVILLE said, he thought that it was quite right to discourage bringing forward complaints of this character in their Lordships' House; and, in his opinion, the speech of the illustrious Duke and the noble Earl had totally disposed of the matter. He thought, too, the extracts which had been read by the noble Lord behind him were conclusive against the Professor. His only wonder was why, if the learned Professor who made these complaints was so dissatisfied with the changes that were made in the conduct of the business and the discipline of the Academy in 1870, he had continued in his position of Professor so long.

VISCOUNT CRANBROOK said, it seemed to him that this tribunal, which was a proper one to appeal to on ascertained facts, was not a proper one to appeal to until the facts had been ascertained. There was a way in which this Professor would have been entitled and able always to bring his grievances before independent persons, for the members of the Board which was appointed to go year by year to Woolwich were always selected with the greatest care in order that their judgments might be independent. The reports of the distinguished gentlemen who had filled that office would show the minuteness of their inquiries, and how ready they were to attend to any circumstances which might be brought before them. He did not say that if the facts had been ascertained this subject was not a proper one for Parliamentary consideration, for the Military Academy at Woolwich had turned out some of the best officers in the Service, and it was of the utmost importance that that Institution should be well conducted. He believed it was well conducted, and certainly, in his time, every grievance was carefully investigated. He hoped that in future, when matters of this kind were brought forward, insinuations would not be made like those made to-night by the noble Lord against officers who were wholly undeserving of them.

LAND LAW (IRELAND) ACT, 1881—THE IRISH LAND COMMISSION—"FAIR RENTS."

PETITION PRESENTED.

THE EARL OF LONGFORD, in rising to present a Petition from landowners and others in Ireland, praying that the principles adopted by the Land Commissioners in the assessment of "fair rents" might as soon as possible be made public, said, only a few days ago he presented a similar Petition from other landlords, and upon that occasion the noble Lord the Lord Privy Seal (Lord Carlingford) made an official answer, but gave no satisfactory explanation on the subject, and gave the landlords no hope of any relief from the grievances under which they laboured. In consequence, another Petition had been prepared by other persons in Ireland, who considered they were hardly used, and the Petitioners had placed the Petition in his hands to present to their Lordships. He thoroughly endorsed the prayer of the Petition, and hoped that some explanation would be given by Her Majesty's Government on the present occasion. The Petitioners were fortified in their request by what was recommended in the 7th section of the Report of the Select Committee which their Lordships appointed to consider the working of the Land Act. They believed that they were asking for nothing that was unusual, and were only asking for what two noble and learned Lords and the other Members of the Committee considered would be of very great advantage in carrying out the Act — that the usual rule in judicial proceedings should be adhered to, so that the decisions of the Sub-Commissioners should be supported by reasons. The Government had not approved of the appointment of the Committee, and might not, therefore, be disposed to attach much importance to its recommendations; but he thought the prayer of the Petitioners was supported by the opinion of this independent tribunal, an authority that could not be entirely disregarded. Mr. Justice O'Hagan gave an account before the Committee of the manner in which the Commission was constituted; and his description of the occasion of the Assistant Commissioners going to the office of the Head Commission at Dublin to take out their instructions, although they never received any instructions, was one of the most comical exhibitions that could be given of the inauguration of a great system that was to affect every corner of the country. It was almost as historical as the *lapsus linguæ* made by the Registrar at the first sitting, who announced that the Court of the "Land League" was open. The Petition did not relate to a question of a new Department, or a change in some of the Offices of the Government, or as to how many Offices were to be filled by the noble Lord the Lord Privy Seal; but it was a question which greatly affected the landlords of Ireland. Their property was slipping away, and all sense of law and order was slipping away too, whilst the Government were considering how they should watch the operation of the Land Act. The Petitioners wished to facilitate the operations of the Act, and they considered that they had a right to call for some explanation of the rules under which the Court dealt with very large properties, how its decisions were arrived at, and what elements of value taken into consideration by the Assistant Commissioners, who had so large a power placed in their hands.

Petition for a speedy declaration of the principles adopted in the assessment of fair rents under the Act by the Land Commissioners in Ireland; of Owners of land and others living in Ireland, or interested in its welfare; read.

After a pause,

THE MARQUESS OF SALISBURY: The noble Lord opposite (Lord Carlingford) does not rise to reply to the noble Earl behind me. I presume the Lord Privy Seal still represents Ireland in this House. Are we to receive a reply from the Government, or are they going to take refuge behind the impenetrable barrier of silence? The Question which has been asked by my noble Friend appears to me to be of the greatest importance, not the less since the Report of the Select Committee, which my noble Friend has referred to, has been published. As my noble Friend has reminded your Lordships, this is not a question merely affecting one political Party—it is a question as to the common administration of justice in Ireland, of justice to a class which has been grievously tried, and which, undoubtedly, is numerically weak, but which ought not on that account to be treated entirely with contempt by Parliament and by the Government. As long as no principles are indicated on which the incomes of landlords are to be cut down, it is impossible that the operations of this law can be facilitated either by submission to the Courts of First Instance or by agreement between parties out of Court. It is impossible for landlords and tenants to know whether it is for their interest to come to mutual agreements as long as there is no knowledge of the principles on which the Sub-Commissioners divide between the landlord and tenants that which hitherto has belonged to the landlord only. What we want to know is the principle on which these reductions are made. We want to know this, so that the landlord may be able to judge whether he shall submit at once or go before the Commissioners. Unless he has some grounds, some standard to which he can apply the decision of the Commissioners, some idea of the calculations which induced them to give the verdicts which they have given, so long will he be unable to decide whether it is for his interest to submit to reduction at once, or submit himself to a Court of First Instance. The result of this state of uncertainty is that the final settlement and pacification of the country, which we have always been told it was the hope of the Government this Land Act would effect, is indefinitely delayed, and disturbances in Ireland, with all the fatal injury to the country which disturbance involves, are indefinitely prolonged. Another consideration why we should have some definite principles placed before us is that the Commissioners are only appointed for one year; no one can say who is to be appointed next, and no one can so forecast the political horoscope as to know who will have the appointment of them when the year has run out. If their decisions were based upon principles which were argued and distinctly laid down, and which were tested by having been submitted to the Court of Appeal, those principles, so argued and decided, would, according to the ordinary practice of the English law, become part and parcel of the law, and would become a guide to subsequent Judges. We should possess a body of well settled laws. But if the present Commissioners are guided by any principles at all, they are locked within the secrets of their own breasts, and no one knows what they are. It is perfectly possible that new Judges may be appointed and new Courts may arise, who may substitute a policy diametrically opposed to that pursued by the present Sub-Commissioners. It seems to me it is for the supreme interest of Ireland, and necessary to produce some spirit of agreement between classes which otherwise will be hopelessly divided, that the principles upon which the Land Courts act should be laid down and declared — that it is a supreme necessity that they should be declared—so that landlords and tenants may come to agreements between themselves. It is in the interest of the landlords, but it is more in the interests of future tenants, to know that what principle is now laid down will be adhered to. On these grounds it seems to me that it is of the last importance that this Petition, which has now been twice presented to your Lordships' House, should be received by Her Majesty's Government in some more satisfactory way than with contemptuous silence.

Lord CARLINGFORD: My Lords, I utterly deny that Her Majesty's Government, or at least so far as I am concerned, have received this Petition with contemptuous silence. I had certainly not intended to trouble the House with any observations upon it, not from any want of respect for my noble Friend the noble Earl opposite (the Earl of Longford), but simply because only a few days ago the noble Earl presented a Petition in the very same words as the Petition he has presented to-day, and he supported it with almost identically the same observations he has just made. I then said what it appeared to me to be necessary to say on the part of the Government, and I thought it was not necessary for me to repeat again the statement after as short an interval as two or three days. I then said that Her Majesty's Government had no power to accede to the demands of those Petitioners by preparing any instructions to be addressed by them to the Land Commissioners, asking them to lay down and publish what are called the principles on which they fix fair rents. As I said the other day, I can see no way in which that can be done, and I very much doubt whether the Land Commissioners would consent to perform such a duty, which is distinctly not laid upon them by the Act under which they are constituted, and which, as I gather from all that was said in both Houses of Parliament during the passage of the Bill, Parliament refrained from imposing upon them. The process of ascertaining how those rents are fixed is not such a great mystery, it appears to me, and I think that if the noble Earl or anyone else who will follow the proceedings of the Courts of the Sub-Commissioners and the Court of the Land Commission itself, they will not find any difficulty whatever. At least, I myself have not done so. So far as I am able to judge, in ascertaining for themselves the course which they took for the purpose of fixing a fair rent, the Commissioners ascertain by the ordinary means —the only means in their power—what rent would necessarily be fairly given by an outsider for the farm. They ascertain that by the evidence of valuers, by the ordinary means by which the value of a holding can be ascertained—namely, the rent that an outsider might fairly be expected to give for such a farm, leaving a fair and ordinary profit to the tenant. The rent which an outsider would give would, of course, be such a rent as would leave a fair and reasonable profit to the tenant, and the Commissioners deduct the value of the improvements that ought to be made, that is to say, the amount of the yearly value that is added to the farm by reason of those improvements as defined by law and by the decision of the Courts. They also, no doubt, take into consideration the deterioration of the farm that is caused by default—that is to say, they do not necessarily fix the rent according to the existing value of the farm, and the condition it happens to be in at the time the decision is given, but they take into account most of the improvements made by the tenant on the one hand, and the deterioration which he causes on the other, and so they come to the figure of a fair rent, not that which would be given by an outsider, but that which the man in occupation ought to pay. In doing so they comply with the conditions laid down by the Act of last year. They consider the interests of the landlord and tenant respectively, and all the circumstances of the district which bear upon it. I have never yet heard it explained, either by my noble Friend the noble Earl, or anyone else, what principles for arriving at a fair rent can be published which would more clearly explain the process taken by the Courts than that at which I have arrived, and which other noble Lords have arrived at, from observing the proceedings of the Land Commissioners. I know nothing as yet of what evidence has been given before your Lordships' Committee, which has been referred to by my noble Friend the noble Earl, and therefore I speak in ignorance of whether they throw any special light on the subject. I can only say that the Executive Government have no power of addressing instructions to the Land Commission on this subject.

LORD WAVENEY said, he thought the prayer of the Petition was a fair and reasonable one. He knew of his own knowledge many cases in which the landlords could not decide whether to arrange with their tenants out of Court for want of knowing the principles upon which the decisions of the Commissioners were founded. One of the reasons of the great difference between the rent which the landlord sought to get and the judicial rent—which was about 20 per cent—was due to the absence of competition for farms.

THE DUKE OF RICHMOND AND GORDON said, that the Lord Privy Seal had stated that it was impossible to expect the Commissioners to give their reasons as to the principles upon which they acted in fixing a rent, and that he then proceeded to tell their Lordships that nothing was easier than to ascertain the mode in which they arrived at their decisions. It seemed to him, however, that the noble Lord, in telling them how it was done, omitted a very important factor in his case, because he told them that the Commissioners took the ordinary course, and that they applied to valuers who were competent to give advice; and the other day the noble Lord the Lord Privy Seal told them that the Commissioners personally visited the farms. That might or might not be an advantage; but as the Commissioners were not agriculturists, he did not see that it could do much good whether they went over the farms or not. Then the noble Lord said that, having fixed the rent that an outsider would pay for the farm, and which he would be able to give with a profit to himself, the rent was fixed after the improvements which had been made by the tenant were taken into consideration. It seemed to him that the landlords had a right to demand what were those improvements which were taken into consideration. What he wished to know was what the Commissioners considered to be improvements, how many years back they were to go to ascertain the improvements made upon the farm, what description of improvements they were, and whether they were improvements at all? They could not estimate a fair rent unless they ascertained that the improvements that had been made were really *bonâ fide* improvements, and improvements which ought to be made on the farm. He said the landlords had a right to know what the Commissioners considered to be improvements which had been made on their farms, and for which they were to be mulcted.

LORD CARLINGFORD: They are defined by the Act.

THE DUKE OF RICHMOND AND GORDON said, that might be so; but how far did the Commissioners go back? Another matter of importance was that of deterioration, and he should like to know what were considered deteriorations by the Commissioners, and the manner in which they were taken into account. He confessed that if he unfortunately stood in the position of the Irish landlord, he should not like to have his rents fixed without knowing the principles which guided the Commissioners. He should doubt very much the justice of having his property handed over to two Commissioners, and should require and expect to have some more accurate information as to the manner in which the rents were fixed than had been given on the present occasion.

EARL GRANVILLE said, he did not quite understand what the noble Duke and the noble Marquess were aiming at. Did they wish to amend the Act in order to define what noble Lords on either side of the House found so difficult to define last year, or did they wish that the Executive Government should give instructions to the Commissioners? But that was a matter which the Government were not empowered to do by the Act, and which it was not the least incumbent upon the Commissioners to receive.

EARL FORTESCUE said, he thought it was incumbent on the Government to give their Lordships' House some more information than they had vouchsafed as to the method in which the Land Commissioners had arrived at the reductions which they had made in rents. The system of administering the Land Act adopted by the Commissioners threw the greatest possible impediment in the way of amicable arrangements being entered into between landlords and tenants in Ireland. Landlords had suffered for the good which they had done in making improvements. Reductions had been made from nearly all existing rents, but the Commissioners had not put down what they were separately. They had lumped them altogether and given decisions which practically resulted in this, that no landlord or tenant could infer what his prospects would be if they brought another case into Court, and they could not proceed out of Court. This, it was true, was an important question for landlords, but not for them only. He thought that in common justice both landlords and tenants should be told for what length of time they took into consideration the improvements made by tenants, and all the other circumstances which had induced them to reduce existing rents. He was sorry to say the anticipation which he ventured to express when the Land Bill came first before their Lordship's House last year—namely, that this measure of confiscation would not be accepted as a measure of pacification in Ireland, had, unhappily, been fulfilled. He thought the Government should afford them more information than had been given by the noble Earl.

The Earl of BELMORE said, it was impossible to discover the principles on which the Commissioners had proceeded. They were entirely in the dark. He had tried to settle with a number of his own tenants out of Court; but the only basis he could go upon was to take Griffith's valuation, with a certain percentage added—as much, he thought, as the Sub-Commissioners would sanction. Notwithstanding that his agent had taken a great deal of trouble, in the majority of instances the attempt to settle had failed. Of course, the Executive Government could not order any Court to do anything; but they might have expressed a strong opinion on the subject; and he very much regretted that the noble Lord the Lord Privy Seal (Lord Carlingford) was not able to give a more satisfactory answer to the Questions of the noble Lord.

Petition ordered to lie on the Table.

Earl Fortescue

IRELAND—IRISH POLICY OF THE GOVERNMENT—THE NEW CHIEF SECRETARY TO THE LORD LIEUTENANT.

QUESTIONS.

The Marquess of SALISBURY: I have to ask the noble Earl opposite, if he will answer such a Question without Notice, Whether any Successor has yet been appointed to Mr. Forster in the Office of Chief Secretary to the Lord Lieutenant of Ireland?

Earl GRANVILLE: The Question of the noble Marquess requires no Notice. It is a simple fact that Mr. Forster's Successor is Lord Frederick Cavendish.

The Marquess of SALISBURY: Will Lord Frederick Cavendish, according to the new custom, also retain the Office of Secretary to the Treasury?

Earl GRANVILLE: No; he will not.

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL [H.L.]

A Bill to alter and amend the law as to marriage with a deceased wife's sister—Was *presented* by The Lord Ramsay; read 1ª. (No. 75.)

MUNICIPAL CORPORATIONS (UNREFORMED) BILL [H.L.]

A Bill to make provision respecting certain municipal corporations and other local authorities not subject to the Municipal Corporation Acts—Was *presented* by The Lord Rosebery; read 1ª. (No. 79.)

House adjourned at half past Six o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 4th May, 1882.

MINUTES.] — Ways and Means—*considered in Committee*—£9,282,435, Consolidated Fund.
Public Bills—*Resolution in Committee*—Military Manœuvres [Compensation]*.
Ordered—Tramways Provisional Orders (No. 3)*.
Second Reading—Documentary Evidence* [143]; County Courts (Ireland) [18].
Committee—Municipal Corporations (*re-comm.*) [113]—R.P.
Committee—Report—Public Health (Scotland) Act Amendment * [115].
Withdrawn—School Boards* [103].

NEW WRIT ISSUED.

For the Northern Division of the West Riding of Yorkshire, *v.* Lord Frederick Charles Cavendish, Chief Secretary to the Lord Lieutenant of Ireland.

POSTPONEMENT OF MOTION.

—:o:—

IRELAND—IRISH POLICY OF THE GOVERNMENT.

Mr. W. H. SMITH, who had the following Notice upon the Paper:—

"To call attention to certain dormant provisions of the Land Act (Ireland) 1881; and to move, 'That, in the opinion of this House, further legislation is imperatively required to provide increased facilities to enable tenants to acquire the freehold of the land in their occupation on just and reasonable terms,'"

said: I wish, Sir, to ask the indulgence of the House for a few moments, in order to make a statement in regard to the Motion of which I have given Notice. Since I gave that Notice very important events have occurred. I refer to the statements which were made by Ministers in both Houses of Parliament last Tuesday, and to the declaration of the Government that the state of affairs in Ireland is critical; that a new departure is necessary—such a departure as involves the most serious loss to the Government, and I think to the country, of the services of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster). In the course of that statement, Sir—[*Cries of* "Oh, oh!" *and* "Order!"]—I appeal to the indulgence of the House. I think it will be for the convenience of the House that, with your indulgence, I should be permitted to say a very few words. I say, in the course of that statement several announcements were made, and amongst them we were told that legislation was intended, and was of overwhelming and pressing and immediate importance upon one subject at least, and would be proposed upon several others. We were informed that provision was to be made by a Bill to strengthen the ordinary law, to meet difficulties such as have been experienced in the administration of justice, and in defining and securing private rights in Ireland; and we were also informed that the Government would make proposals to Parliament on the very question with regard to which I have a Notice on the Paper. Under these circumstances, looking at the grave crisis in which we are now involved, it would not seem to me to be seemly if I proceeded with a Motion upon the subject of which I am informed authoritatively that the Government intend to submit proposals to Parliament. I do not, therefore, intend to stand even for an hour between the House and these proposals for the good government of the country which the Government think necessary, and which they describe as of overwhelming and pressing importance.

QUESTIONS.

—o—

POST OFFICE—POSTAGE RATES TO INDIA.

Mr. BAXTER asked the Postmaster General, If he would explain why letters to India are still in Class B and charged 5*d.* while those to thirty-seven other countries, including Canada, the United States, and even Persia, are in Class A and charged 2½*d.*; and, if there is any good reason why the postage to India should not at once be reduced to the lower figure?

Mr. FAWCETT: Sir, in reply to my right hon. Friend, I have to state that the weekly service by which letters between this country and India are conveyed through France and Italy is very costly, and involves, I regret to say, a serious loss both to England and India. In consequence of this loss, we exercise the right, which is given to us under the Postal Union Treaty, to make a surcharge of 2½*d.* over and above the fundamental Union rate of 2½*d.* The same rate of 5*d.* is charged on letters to Persia when forwarded by the quick sea route of the Persian Gulf.

POST OFFICE—LETTER CARRIERS.

Mr. W. M. TORRENS asked the Postmaster General, Whether he has been able to consider fully, as promised, the position of the persons employed as letter-carriers, and likewise of those engaged as auxiliary letter-carriers, with reference to their pay and other circumstances affecting their condition?

Mr. FAWCETT: Sir, in reply to my hon. Friend the Member for Finsbury (Mr. W. M. Torrens), I have to state that I am now, and have been for some time, in communication with the Treasury on the subject to which he refers, and I hope shortly to be able to give effect to the decision which may be arrived at.

Mr. SCHREIBER asked the Postmaster General, Whether, since the

Financial Statement for the current year was made, he has communicated with Mr. Chancellor of the Exchequer as to the source from which the Letter Carriers and Auxiliary Letter Carriers of the United Kingdom are to derive the increase of their pay?

Mr. FAWCETT: Sir, in reply to my hon. Friend the Member for Poole (Mr. Schreiber), I have to state that any money that may be necessary to apply to the purpose to which he refers will, no doubt, have to be provided by a subvention in the form of a Supplementary Estimate.

POST OFFICE—THE PARCELS POST SYSTEM.

Mr. BROADHURST asked the Postmaster General, Whether he can give the House an assurance that the increase to the postman's labour proposed by the postal parcels system shall in no way be permitted to add to their Sunday labour?

Mr. H. H. FOWLER asked the Postmaster General, Whether, in making the arrangements for the establishment of the parcels post, he will provide that parcels shall not be collected or delivered on Sundays?

Mr. FAWCETT: Sir, in reply to the Questions of my hon. Friends the Members for Stoke and Wolverhampton, I have to say that the important subjects to which they relate will receive careful consideration in making any arrangements for the establishment of a parcels post. Although it would be premature to give any positive assurance on the subject until these arrangements are in a more forward state, I may say that, in my opinion, the Sunday labour of letter carriers and other officers of the Department will certainly not be increased by the establishment of the parcels post.

POST OFFICE—BRAINTREE POST OFFICE.

Colonel RUGGLES-BRISE asked the Postmaster General, If his attention has been called to the inadequate accommodation afforded by the Post Office at Braintree, and its unsatisfactory character; and, whether he will take steps to remedy the inconvenience which is now felt in that town and the surrounding district?

Mr. FAWCETT: Sir, the subject of providing improved Post Office accommodation at Braintree has engaged my attention, and I should be very glad if it were practicable to make a satisfactory change; but, at present, there are no means of doing so without incurring undue expense; but I can assure the hon. and gallant Member opposite (Colonel Brise) the matter shall not be lost sight of.

LAW AND POLICE—THE RIOTS AT CAMBORNE, CORNWALL.

Mr. O'DONNELL asked the Secretary of State for the Home Department, Whether he has received information of the failure of the magistrates and police of Camborne to punish the rioters who sacked the Catholic Church, as well as a number of houses of Irish people in that town and the neighbouring villages, and brutally assaulted and hunted Irishmen in the streets; whether his attention has been called to the following statements in the "Pall Mall Gazette" of April the 28th, with regard to the rioting at Camborne:—

> "The main facts are undisputed. A furious mob led by a man brandishing a red flag marched to attack their Irish fellow-citizens with sticks and stones. Violent assaults were committed, a place of worship was wrecked, and the town was taken possession of by the mob. After a time the police arrested the ringleader, and he was duly brought up before the magistrates for punishment. The presiding magistrate declared that 'if the Irishmen had been met with and killed, he would have been held guilty.' Evidence which would have sufficed to convict of murder was held to be insufficient to justify committing the prisoner for trial on the charge of riotous behaviour, and the ringleader of one of the most disgraceful riots of recent times was acquitted amid the enthusiastic applause of the mob. Not one single individual has been punished in any way for the savage outburst of last week;"

and, what steps the Government intend to take for the better protection of life and property, and the vindication of law and order at Camborne, and in the neighbouring districts?

Sir WILLIAM HARCOURT: Sir, I cannot accept the statement in this Question or in the newspaper extract as accurate. They seem greatly exaggerated. The facts, as far as I am informed, are that there was a disgraceful riot and disturbances, extending over several days. The measures taken to repress them were successful, and I have urged on the magistrates the propriety and necessity of punishing the offenders. That is all the information I have it in my power to give, and all that I can do in the matter. With regard to the existing state of things, I have no reason to believe that any person is in peril, or that the public peace is endangered.

LAW AND POLICE (IRELAND)—LEGAL OBLIGATIONS OF INNKEEPERS—MR. J. O'GORMAN.

Mr. O'SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If he is aware that John R. O'Gorman had to pay a large amount in damages and costs for refusing to entertain an emergency man at his hotel in Charleville; whether he has been arrested and detained in prison for over six months; and, whether he will give orders for his release?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, he must request that this and other Questions on the Paper of a similar nature might be postponed till the return of the newly-appointed Chief Secretary to the Lord Lieutenant.

Mr. HEALY asked, whether, in the usual course, Questions put to the Chief Secretary for Ireland were not forwarded to officials in Ireland, who sent back the required information? In that case, the transfer of Office from one Chief Secretary to another ought not to interfere with the answering of the Questions.

Mr. SPEAKER said, that the hon. Member for Wexford was not now confining himself to asking a Question.

Mr. HEALY said, his Question was, How it happened that the transfer of the Office of Chief Secretary for Ireland from one person to another should interfere with the answering of Questions put to the former holder of the Office?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): Sir, the late Chief Secretary for Ireland, the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), always answered every Question upon his own responsibility, and he took the best means in each case of informing himself on the subject.

THE LIBERAL ASSOCIATION OF IPSWICH AND IRISH LANDLORDS.

Sir EARDLEY WILMOT (for Mr. Bellingham) asked the Secretary of State for the Home Department, Whether his attention has been drawn to a report contained in the "East Anglian Daily Times" of April 26th, and commented upon in other papers, of a speech made at a meeting of the Middle Ward Liberal Association at Ipswich, at which Mr. Smith, Secretary, is reported to have said in referring to the condition of Ireland,

> "That he felt a sort of satisfaction when he heard that the Irish people had taken to shooting landlords, and that if anybody ought to be shot in Ireland it was the landlords;"

and, whether, since the accuracy of this report had been confirmed by the editor of the "East Anglian Daily Times," whose reporter took the words down as they were spoken, he will consider whether speakers using language inciting to the shooting of landlords in Ireland or elsewhere should be prosecuted in England as well as in Ireland?

Sir WILLIAM HARCOURT, in reply, said, he had no knowlege of the matter.

ARMY ORGANIZATION—MOUNTED INFANTRY.

Sir BALDWYN LEIGHTON asked the Secretary of State for War, What steps have been taken, in conformity with the undertaking of last Session, to establish a force of mounted infantry; whether he has had any communication with Major Barrow, lately returned from South Africa, on the subject; and whether at the forthcoming autumn manœuvres opportunity will be given of utilizing or experimenting with such a body?

Mr. CHILDERS: Sir, the hon. Baronet opposite (Sir Baldwyn Leighton) is entirely mistaken in stating that I undertook last Session to establish a force of Mounted Infantry. What I undertook to do was to inquire into the whole question, and I mentioned several alternative proposals which had been made to the War Office, and on which I looked favourably. Major Barrow has furnished several Reports on the subject, and some of his suggestions have been adopted. What we have decided to do is to keep necessary equipment for Mounted Infantry against the occasion, if it should arise, of employing soldiers on horseback, but not to organize a permanent force of this nature. A small pamphlet laying down the clothing, organization, drill, and equipment for Mounted Infantry will shortly be issued. We have not contemplated forming such a force for the Autumn Manœuvres; but the hon. Baronet's suggestion shall be considered.

POOR LAW—VAGRANCY.

SIR BALDWYN LEIGHTON asked the President of the Local Government Board, What has been the result of the inquiries which, at the beginning of the Session, he undertook to make into the subject of the great increase of tramps; and, also, as to how many of them have served in the Army, and how many are actually belonging to the Reserve and receiving the Government pay?

MR. DODSON: Sir, it is not quite correct to say, as the hon. Baronet opposite (Sir Baldwyn Leighton) has done, that I undertook to make inquiry into the great increase in the number of tramps. What I stated, when the former Question was put to me on this subject by the hon. Member was, that the Local Government Board were then engaged in obtaining information to enable them to determine what alterations are needed in the law; that information is not yet complete. It is impossible to say how many of the vagrants have served in the Army and how many are actually belonging to the Reserve, as the Workhouse records do not, as a rule, furnish these particulars.

THE REVENUE—THE WINE DUTIES—SPANISH WINES.

MR. MAC IVER, who had on the Paper the following Question:—

> "To ask the Under Secretary of State for Foreign Affairs, Whether the readjustment of the Duty on Spanish wine in the direction indicated by Mr. Chancellor of the Exchequer in his financial statement on June 10th, 1880, which is now said to be 'under consideration,' involves any negotiations or the prospect of any negotiations, with a view to obtaining more favourable terms as regards the admission of our manufactures into Spain or other reciprocal trading advantages in exchange for a reduction of the Duty on Spanish wine?"

said, he would postpone putting it until after the second reading of the Inland Revenue Bill.

SIR CHARLES W. DILKE: Sir, I do not know why the hon. Member for Birkenhead (Mr. Mac Iver) should postpone his Question. It is, I think, inconvenient that a Question containing a misapprehension of facts should remain on the Paper, and I will, therefore, answer it at once.

MR. MAC IVER said, that if the hon. Baronet answered the Question, he would ask it again. It might be necessary for him to refer to the answer.

SIR CHARLES W. DILKE: I stated on Monday last, Sir, that the question of the Wine Duties had been and still was under consideration, and did not confine my reply to the case of duties on Spanish wines.

TRADE AND COMMERCE—ADULTERATION OF AMERICAN COTTON.

MR. SUMMERS asked the Presiden of the Board of Trade, Whether his attention has been called to the adulteration of American cotton imported into this Country; and, whether he has taken, or intends to take, any action with regard to it?

MR. CHAMBERLAIN: Sir, my attention has been called to this subject through statements made in the newspapers, but not by any communications from parties interested in the matter. As far as I have been able to ascertain, I do not think it would be advisable for the Government to interfere or take any action.

ISLAND OF CYPRUS—THE NEW CONSTITUTION—STATUS OF THE JEWS.

MR. ST. AUBYN asked the Under Secretary of State for the Colonies, Whether, under the terms of the proposed new Constitution for the Government of Cyprus, as formulated in an official Despatch dated 10th March, 1882, Jews resident in the island will be qualified to sit in the local council, or to vote at elections, or in other manner to perform the ordinary duties of citizenship; and, whether the construction of Paragraph 4 of the said Despatch, forwarded by the Earl of Kimberley to Sir Robert Biddulph, does not exclude Jews from any participation whatever in the administration of local affairs?

MR. COURTNEY: Sir, there are only 69 Jews in the Island of all ages and both sexes. In the Despatch mentioned the population is divided into Christian and Mahommedan; but in the formal Constitution the division will be between Mahommedan and non-Mahommedan, and the Jews will vote among the latter.

EDUCATION DEPARTMENT—THE NEW CODE.

Sir **MASSEY LOPES** asked the Vice President of the Council, Whether the Instructions, which he stated were to accompany the New Code, have been issued to the Inspectors of Education, and if, either now or as soon as they are issued, he would lay them upon the Table of the House?

Mr. **MUNDELLA**: Sir, the Instructions to Her Majesty's Inspectors, to which the hon. Baronet the Member for South Devon (Sir Massey Lopes) refers, will not be issued until the re-organization of the Inspectorate is completed. No inspection under the New Code can take place till May, 1883. Before that time, and, I hope, during the present Session, the Instructions will be laid on the Table. The object of the re-organization is to secure—(1), uniformity of standard; (2), that the inspection of schools shall not be placed in the hands of young and inexperienced Inspectors, but in that of men having practical experience as teachers; and (3), to open the ranks to those who have had that practical experience. I am now able to state that seven of our ablest and most experienced Inspectors' Assistants who have been schoolmasters, and have served for 10 years and upwards under Her Majesty's Inspectors, have been promoted by the Lord President to the rank of Sub-Inspector.

LEGAL OBLIGATIONS OF INNKEEPERS —REFUSAL TO ADMIT A SOLDIER.

Colonel **MILNE HOLME** asked the Secretary of State for the Home Department, If his attention has been called to the refusal of an innkeeper at Windsor, on a recent occasion to admit into the hotel a soldier belonging to the 2nd Regiment of Life Guards; and, if the innkeeper's conduct is justifiable in Law?

Sir **WILLIAM HARCOURT**, in reply, said, that it would not be proper or legal on the part of an innkeeper to exclude any person from his hotel. The exercise of that exclusion against a man who had the honour to wear the uniform of the Queen, seemed to him most extremely improper. It was not, however, to be understood that he could be compelled to admit him into every room. So far from being regarded as a person to be looked down upon and excluded, he ought to be looked upon as a person to be especially honoured.

LAW AND POLICE—WILFUL OBSTRUCTIONS ON RAILWAYS.

Mr. **NORTHCOTE** asked the Secretary of State for the Home Department, If his attention has been called to the circumstances under which an Italian boy named Riccioli was acquitted on April 25th at the Devon Assizes, on a charge of placing obstructions on the railway, with intent to wreck a train; and, if Her Majesty's Government will introduce a measure to better define the character of offences of this nature?

Sir **WILLIAM HARCOURT**, in reply, said, that in connection with this subject several very difficult questions arose which showed the necessity of some amendment of the law. He was in communication with the Railway Companies on the subject.

LANDLORD AND TENANT (SCOTLAND) —EVICTIONS IN THE ISLAND OF SKYE—THE CROFTERS.

Mr. **BIGGAR** asked the Lord Advocate, Whether he has seen the report of the debate in the Glasgow Town Council last Monday, as reported in the "Daily Mail" of Tuesday 25th April, and does his latest information show that the Lord Provost of Glasgow directed Captain M'Call to send the police to Syke; and, would he state whether the Inverness Police had revolvers? He would also ask, As it appears by the words of the Glasgow Police Act, quoted on the Town Council debate, that the Chief Constable has the power to send away the police of Glasgow to any part of the Kingdom without the consent or authority of Lord Provost, Magistrates, or Corporation, does he intend to take steps to have such authority taken from the Chief Constable and restored to the representation of the Corporation of Glasgow?

The **LORD ADVOCATE** (Mr. J. B. Balfour): Sir, I have not seen the report in the newspapers; but according to my information the police were sent on the requisition of the Sheriff of Inverness, addressed to the Chief Constable of Glasgow Police, in terms of the 90th section of the Glasgow Police Act. The Sheriff had previously communicated with the Lord Provost, and obtained his consent. The Inverness Police did not carry revolvers. They had no weapons except their ordinary batons.

NAVY—BARRACK SERGEANTS OF MARINES.

Sir H. DRUMMOND WOLFF asked the Secretary to the Admiralty, Whether it is a fact that Barrack Sergeants of Marines have had their allowances reduced by the same amount as their pay has been increased; and, if so, why they alone of the non-commissioned Officers of Marines are not to be allowed increased advantages?

Mr. TREVELYAN: Sir, it was considered by the Admiralty that the pay and allowances of barrack sergeants under the old scale were quite sufficient, which could not be said for the other non-commissioned officers of Marines. Consequently, when the recent increases were made, the combined pay and allowances of barrack sergeants were not raised.

INDIA—LOCAL SELF-GOVERNMENT—SIR ASHLEY EDEN'S MINUTE.

Mr. BAXTER asked the Secretary of State for India, If he will lay upon the Table of the House the recent Minute by Sir Ashley Eden on the Extension of Local Self-Government in Bengal?

The Marquess of HARTINGTON, in reply, said, that the Minute had not reached the India Office. As soon as it had reached the Office, perhaps his hon. Friend would repeat the Question.

STATE OF IRELAND—EVICTED FAMILIES.

Mr. SEXTON asked Mr. Attorney General for Ireland, Whether it is true that John Canny, one of the evicted tenants at Tulla, county Clare, who were prevented by Mr. Clifford Lloyd from availing themselves of the shelter of the huts erected by the Ladies' League, died on Saturday last; whether John Canny and his family, together with another evicted family, have been staying at night since their eviction in a cabin containing three families, numbering twenty persons, and were obliged by day to live and cook their meals in the ditches, and whether the exposure and hardship endured by John Canny produced the disease which has resulted in his death; whether it is true that the Ladies' League, within the past year, have erected about three hundred huts in the counties of Galway, Kilkenny, Carlow, Mayo, Leitrim, Limerick, Meath, Roscommon, Tyrone, Longford, King's County, Clare, Wicklow, Fermanagh, Kerry, Cavan, Derry, Queen's County, Waterford, Wexford, Westmeath, Monaghan, Tipperary, Louth, Cork, and Armagh; and that, although the Coercion Act was in force throughout the entire period, and numbers of persons were arrested under it on suspicion of intimidation, no person occupying any of these three hundred huts was ever arrested on such a charge; whether it is true that the only magistrate who has hindered the erection of huts to shelter evicted tenants is Mr. Clifford Lloyd; and, whether the Government will now agree to allow the erection of huts to shelter evicted tenants, and the occupation of such huts by families in need of them, to proceed without impediment?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, that with reference to the two first paragraphs of the Question, John Canny was an old man of, he believed, 74; he had been in one of those huts and had died. The Cannys were not prevented from occupying any of those huts, and before they took possession of them they and several other persons, 20 in all, lived in a farm house containing a kitchen and two rooms, and cooked their meals, not in the ditches, but in the kitchen of the farm-house. No doctor, so far as he could ascertain, had visited Canny, nor was he able to learn the disease of which Canny had died. With reference to the third paragraph, he was not able to say whether it was a fact that no person occupying any of those huts was chargeable with intimidation. With reference to the fourth paragraph, the answer was "No." As to the last paragraph, he did not know what the intention of the Government might be; but speaking for himself alone, he might repeat what he stated in the House before, and what his right hon. Friend the late Chief Secretary for Ireland (Mr. W. E. Forster) stated—that where these erections were *bonâ fide* to shelter the homeless, they ought not to be interfered with; but he (the Attorney General for Ireland) feared in many cases they had been erected for a different purpose.

IRELAND—RELEASE OF THE CONVICT MICHAEL DAVITT.

Mr. JOSEPH COWEN asked the Secretary of State for the Home Department, If, in view of the intended release of all the other Irish political prisoners, he will order the liberation of Mr. Michael Davitt, who has been the longest in confinement?

Sir WILLIAM HARCOURT: Sir, the Government have taken this matter into consideration, and I have to say that the same reasons which have induced them to release the prisoners who have been released have brought them to the determination to release Michael Davitt.

Mr. GIBSON: I wish to ask whether the release of Michael Davitt is entirely unconditional?

Mr. JOSEPH COWEN: I beg to give Notice of this Question, Whether, inasmuch as Mr. Davitt's policy with respect to land in Ireland has been accepted by Her Majesty's Government and adopted in the Report of the Select Committee of the House of Lords, the Government, under the circumstances, will advise Her Majesty to grant a free pardon to the founder of the Land League, so that Mr. Davitt may come into Parliament, and defend the doctrines now accepted on all sides?

Mr. GIBSON: I have not received an answer to my Question.

Sir WILLIAM HARCOURT: Sir, there will be no conditions attaching to the release of Davitt, except those that were attached to his release when he was liberated by the late Administration. He will be released exactly under the same circumstances, and, I presume, for the same reasons, which induced the late Government to release him—namely, that they thought it might be done consistently with public safety.

THE PRINTING COMMITTEE—MR. PARNELL.

Mr. R. POWER asked the Parliamentary Secretary to the Treasury, If he has now any objection to allow the name of Mr. Parnell to remain on the Printing Committee?

Mr. GLADSTONE: Sir, in the absence of my noble Friend (Lord Frederick Cavendish), who is disabled for the moment by indisposition, I rise to answer this Question. Unquestionably, there is no objection to the name remaining. It is not for us to make any difference or distinction between Members of Parliament who are able to attend in this House and discharge their duty.

Mr. R. POWER said, after that answer, he should withdraw his opposition to the appointment of the Committee.

POST OFFICE—YORK POST OFFICE.

Mr. CREYKE asked the Postmaster General, Whether it is the intention of the Government to proceed with the new post office at York this year?

Mr. FAWCETT: Sir, in reply to my hon. Friend, I have to state that I am very anxious to proceed with the proposed new post office at York as speedily as possible; and every effort will be made, both by the Office of Works and the Post Office, to complete a satisfactory contract for the purchase of the intended site; but the owner does not offer to give immediate possession, so that there must be some delay in any case before building operations can be commenced.

EGYPT—THE EX-KHEDIVE, ISMAIL PASHA.

Mr. M'COAN asked the Under Secretary of State for Foreign Affairs, Whether it is within the competence of the present Egyptian Government, without the concurrence of the European Powers, to disturb the existing international arrangement under which the Civil List assigned to the Ex-Khedive, Ismail Pasha, is now paid; and, whether he can lay upon the Table of the House any Correspondence between the Foreign Office and Sir E. Mallet on the subject of the recent court-martial held on certain Egyptian Officers for alleged complicity in a conspiracy against Arabi Pasha?

Sir CHARLES W. DILKE: Sir, I must ask my hon. Friend to postpone the first part of his Question. With regard to the second part, I fear that the Papers referred to cannot be laid before Parliament at present.

ARMY—THE AUTUMN MANŒUVRES—THE FIRST CLASS ARMY RESERVE.

Mr. SCHREIBER asked the Secretary of State for War, Whether it is his intention that any portion of the First Class Army Reserve should be called out for the Manœuvres of next Autumn; and, if so, what number of them?

MR. CHILDERS: No, Sir. The questions attending the calling out of the First Class Reserve are more complicated than they might appear at first, and we do not propose to act on the powers given us by the Army and Reserve Act this year.

INDIA—ROORKEE COLLEGE.

MR. PUGH asked the Secretary of State for India, Whether he is now in a position to inform the House of the number of students who have entered the Engineering College at Roorkee during the last three years, and of the number who have passed and obtained appointments as engineers during the same period?

THE MARQUESS OF HARTINGTON: I have ascertained that the admissions of engineer students to the Thomason Civil Engineering College at Roorkee during the years 1880-1-2 have been 8, 9, and 10 respectively, while the number of appointments to the engineer establishment of the Public Works Department during these years has been 8 each year. The number of overseers admitted to the College during the same three years has been 18, 22, and 35, while the appointments to the subordinate branch of the Public Works Department (in which branch the overseers are included) during these years have been 15, 0, 17.

BOILER EXPLOSIONS—THE EXPLOSION AT BRIERLY HILL.

MR. HUGH MASON asked the Secretary of State for the Home Department, Whether an engineer surveyor to the Board of Trade has made an investigation of the steam boiler explosion that occurred at Brierly Hill, near Dudley, on February 7th, 1882; and, if so, whether he would lay the Report upon the Table and have it printed for circulation among Members?

SIR WILLIAM HARCOURT, in reply, said, that an inquiry had been made into the matter by Mr. Mills, of the Board of Trade. The Report, however, had only been received that day.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—THE RELEASED MEMBERS.

SIR H. DRUMMOND WOLFF asked Mr. Attorney General for Ireland, Whether, according to the stipulations contained in Clause 5, of 44 Vic. c. 4, the Lord Lieutenant has, since the 1st of April last, considered the cases of Messrs. Parnell, M.P. and O'Kelly, M.P. who, in the Return laid before this House on the 3rd of April, were reported as being detained in prison, inasmuch as they were

> "reasonably suspected of having, since the 30th day of September 1880, been guilty, as principals, of treasonable practices;"

and, if not, whether those gentlemen have been discharged from prison without any consideration of their cases, or any decision certified under the hand of the Lord Lieutenant or the hand of the Chief Secretary to the Lord Lieutenant?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Sir, I presume thus the statutory duty imposed upon these distinguished personages was duly discharged by them; and, that being so, I have not asked for any information on this subject.

MINERAL PROPERTY—TRANSFERS OF LEASES.

MR. ROLLS asked the First Lord of the Treasury, If he is aware of any instances of landlords (upon the transfer of colliery or other mineral property) enforcing heavy fines equal to several years' dead rent before giving consent to the transfer of the lease, although the tenant may have only realized one-fourth of the outlay; whether it is within the recollection of the Right honourable gentleman that, as far back as the 12th November 1874, he wrote to Mr. Colborne that he was sensible of the practical importance of the subject; and, whether he is prepared to introduce any measure, or to take any step, for protecting tenants of mineral property from such injustice?

SIR WILLIAM HARCOURT, in reply, said, he would answer this Question for his right hon. Friend. Certain letters had passed, and Mr. Colborne was informed that it was a matter in which the Government could not interfere. There was no present intention to introduce any such measure as the one referred to in the Question.

ELEMENTARY EDUCATION ACT—SCHOOL ATTENDANCE.

MR. TILLETT asked the Vice President of the Committee of Council on Education, Whether his attention has been called to the decision of the High Court of Justice in the recent case of Saunders *v.* Crawford, reported in the "School Board Chronicle" of the 29th of April; whether the effect of this decision is practically to repeal sub-section one of section eleven of "The Elementary Education Act, 1876," and to prevent school boards and school attendance committees under that section, compelling the attendance at school of children whose education is habitually neglected; whether school boards and attendance committees have the power to compel attendance at school of children up to fourteen years of age; and, whether he proposes to introduce any Bill into the House dealing with the question?

MR. MUNDELLA: Sir, my attention has been called to the decision in this case, which is contrary to the intention of Parliament and the view hitherto entertained by the Education Department. But, as the case is now under appeal, we wait the result before considering the necessity for further legislation?

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881 — RELEASE OF PRISONERS UNDER THE ACT.

SIR H. DRUMMOND WOLFF asked the First Lord of the Treasury, Whether persons who have been imprisoned in Ireland, on reasonable suspicion of treasonable practices, have been or will be released from prison without any assurance on their part to abstain from such practices; and, whether any assurance has been received by Her Majesty's Government from the leaders of the Land League that the No Rent Circular will be withdrawn?

MR. GLADSTONE: Sir, when this matter was mentioned on Tuesday last, it had not been in my recollection, and I thought it might be well just to take a day to reflect on the subject, which I have done. The Question of the hon. Member for Portsmouth (Sir H. Drummond Wolff) undoubtedly has reference to the fact, which, I believe, is well known to the House, that when the hon. Gentleman the Member for the City of Cork (Mr. Parnell) was arrested, he was arrested under two warrants—one of them referring to "reasonable suspicion," in the phraseology of the Act, and the other to treasonable practices.

MR. SEXTON: No; that was served on him after he was in Kilmainham.

MR. GLADSTONE: But he is there under those two warrants.

MR. SEXTON: He is not there. He is out.

MR. GLADSTONE: I mean to say he is there under two warrants. [Several Irish MEMBERS: He was.] We are of opinion that the same considerations which justified and required the release, where the reasonable suspicion has had reference to what I may roughly call agrarian offences, also justify his release under the warrant for his detention on suspicion of being guilty of treasonable practices.

SIR H. DRUMMOND WOLFF: The latter part of the Question has not been answered by the right hon. Gentleman.

MR. GLADSTONE: It appears to me, Sir, that the intentions which are entertained in regard to the "no rent" circular, which are important, form a portion of the subject to which I have already adverted, when I stated that Her Majesty's Government had received information, tendered to them, which they deemed to be of great importance, and which justified and mainly prompted their conduct in the matter of the recent releases. I think the considerations which prevented me from entering upon any detail, and made me feel that it would be far more dignified and just on every ground that it should be left to these Gentlemen themselves to make, at the proper time, their own declarations, ought to lead me to request the hon. Gentleman opposite to await such declarations as may be made in this House by the persons to whose conduct the declaration refers.

SIR H. DRUMMOND WOLFF: I beg to say that I shall repeat the Question on Monday.

MR. DILLON: I venture to ask the Prime Minister, in consequence of the answer which he has given, whether he means to convey that any intimation was conveyed to him from me in reference to the "no rent" manifesto?

MR. GLADSTONE: I have not heard the name of the hon. Member used in any information that has been conveyed to me upon the subject.

MR. O'KELLY: Mr. Speaker, I shall also take the liberty, with your permission, in consequence of the answer of the right hon. Gentleman, to ask him if he has had any notification from me or any communication from me in reference to this matter during my detention, in regard to the "no rent" manifesto?

MR. SEXTON: I also was a signatory to the "no rent" manifesto. I wish to know if my name was mentioned to the right hon. Gentleman?

MR. GLADSTONE: No name of any of the hon. Gentlemen who have spoken has been separately mentioned in any intimation. [Mr. WARTON: Separately?] Well, it must be separately, must it not? But I am bound to say I have heard statements which appeared to me to include them. [*Cries of* "Name, name!"]

MR. DILLON: I can tell the right hon. Gentleman and this country that if my name was included, it was without my authority, knowledge, or consent.

MR. O'KELLY: I make the same statement.

MR. SEXTON: I, too, disclaim it.

SIR MICHAEL HICKS-BEACH: I beg to ask the right hon. Gentleman from whom he has received the statements?

MR. GLADSTONE: The statements which I have received have been statements from Members of this House; and it will be for those Members of this House, one of whom I believe is not in his place now—perhaps the most important of them—to consider when they, or whether they, shall make declarations in relation to the subject-matter to which I have referred. In the meantime, I stand, in the face of the House, upon the declaration I have made, that we have had voluntarily tendered to us information with regard to the intentions and views of Irish Members, under the present circumstances of Ireland, which has led us to the judgment we have formed, and by that judgment we will stand.

MR. GIBSON: Mr. Speaker, I beg to ask the Prime Minister, if he means to convey that the hon. Member for the City of Cork (Mr. Parnell) was one of the Members to whom he refers?

MR. GLADSTONE: After what I have stated, and after the reference which I have made to the absence of the hon. Member for the City of Cork, I shall give no further answer.

MR. J. LOWTHER and MR. ARTHUR ARNOLD rose together. [*Cries of* "Lowther!"]

MR. SPEAKER, interposing, said, he understood that the hon. Member for Salford (Mr. Arthur Arnold) rose to Order.

MR. ARTHUR ARNOLD: That is so, Sir. I wish to ask you whether an hon. Member has any privilege or right, after a Question has been put and answered, to put a further Question on the same subject?

MR. SPEAKER: I am not able to say until I hear what the Question is. At the same time, I have to say this—that it is, however, undoubtedly, within the province of a Minister of the Crown, if he should think fit, to desire that Notice be given of a Question, or to decline to answer it in the public interest.

MR. J. LOWTHER: I was only about to ask the right hon. Gentleman if, for the purpose of removing a misapprehension, he would state what was the nature of the communication to which he has referred?

MR. GLADSTONE: I have been endeavouring distinctly to convey that, in my opinion, it is more dignified and more just to leave it to hon. Members of this House, who either are present, or will shortly be present, in this House, to make their own declarations upon that subject, rather than that those declarations should be conveyed to the House second-hand. What we are responsible for is the judgment we have formed upon the information tendered us; and as regards any explanation with regard to the materials of that judgment, I should think that common courtesy to those hon. Gentlemen dictates, on my part, that I should leave them, in the first instance at any rate, to be their own spokesmen.

MR. GIBSON: I have only one more Question, Sir, which I will take the liberty of asking the Prime Minister. He just now refreshed his recollection by reading a Memorandum, and I have to ask him if the communication he has referred to was oral or in writing?

Mr. GLADSTONE: I read no Memorandum whatever.

Mr. GIBSON: But you referred to one.

Mr. GLADSTONE: I must say that I think when references of this kind are made, Gentlemen ought to know what they are talking about. I held in my hand a Memorandum on a totally different subject, the purport of which I was endeavouring to gather at the same time. I have to say that I shall give no further answer.

Mr. O'DONNELL: In relation to the Questions which have just come from the Front Opposition Bench, I beg to give Notice that I will ask whether, in the "no rent" manifesto, it was not expressly declared that, on the restoration of Constitutional government in Ireland, the "no rent" manifesto, would be withdrawn, and would cease to operate; and, if I am in Order, I would ask the right hon. and learned Gentleman the late Attorney General for Ireland (Mr. Gibson), in regard to the Question he has just put, whether he does not consider that that Question impugns the honour of the Gentlemen who signed the "no rent" manifesto, and whether he ought not to withdraw such imputations?

Mr. SPEAKER: The hon. Member puts a Question to the right hon. Gentleman which does not refer to a Bill or a Motion before the House, and, therefore, cannot be put.

MAINTENANCE OF MAIN ROADS (SOUTH WALES).

Viscount EMLYN asked Mr. Chancellor of the Exchequer, Whether any part of the amount proposed to be raised by the increased Tax upon Carriages will be applied to the maintenance of main roads in South Wales?

The CHANCELLOR of the EXCHEQUER (Mr. Gladstone): I am afraid I must refer the noble Viscount to a recent correspondence between myself and several gentlemen who speak on behalf of the counties in the quarter to which his Question draws attention. If the noble Viscount is not in possession of that correspondence, I shall be very happy to give him access to it. I could not, at the present time, enter into the details of a measure which cannot be dealt with piecemeal.

THEATRES AND MUSIC HALLS (METROPOLIS)—PRECAUTIONS AGAINST FIRE—CAPTAIN SHAW'S REPORT.

Mr. DIXON-HARTLAND asked the Chairman of the Metropolitan Board of Works, What steps the Board of Works has taken with regard to the theatres reported upon by Captain Shaw, in reference to having the recommendations in that Report carried out; what number of theatres not included in that Report are now under inspection; and, when that inspection was commenced?

Sir JAMES M'GAREL-HOGG: Sir, I beg to state that copies of Captain Shaw's Reports have been sent to the various theatres concerned, and the lessees have been invited to send in any observations they may have to make on his recommendations. Some replies have already been received and are under consideration. The number of theatres now under inspection and not included in Captain Shaw's previous Reports is 11, and this will be added to as rapidly as circumstances will admit. As regards the third part of the Question, the inspections have been commenced at various dates, as Captain Shaw has been able to undertake them.

PARLIAMENT—BUSINESS OF THE HOUSE—MORNING SITTINGS.

Mr. GORST asked the First Lord of the Treasury, Upon what day Her Majesty's Government will first propose to fix an Order of the Day for Two o'clock on Tuesday, May 9?

Mr. GLADSTONE, in reply, said, it would be more convenient if he answered the hon. and learned Gentleman to-morrow evening.

Mr. GORST gave Notice that if such a Motion were made he would oppose it.

IRELAND—IRISH POLICY OF THE GOVERNMENT—RESIGNATION OF THE CHIEF SECRETARY TO THE LORD LIEUTENANT.

PERSONAL EXPLANATION.

Mr. W. E. FORSTER: Mr. Speaker, I have received Her Majesty's gracious permission to make a statement—I trust it will not be a long one—explaining the reason why I have been obliged to take the step, most painful to me, of resigning my seat in the Government of my right hon. Friend. I believe it is customary that such a statement should be made; but notwithstanding that it is customary, and notwithstanding the permission that I have received, I must honestly say that, from personal considerations alone, I would not have made it for two reasons. I do not wish to trouble the House, or to take up its time with any personal considerations; and, also, I am so sensible of the difficulties connected with the government of Ireland that I would gladly avoid giving the reasons why I am obliged to differ with my Colleagues. I cannot suppose that my statement of the reasons will have effect; and as the step has now been taken, and as the line of policy has been adopted, and, therefore, must be carried out, I should have preferred saying nothing which could in any way cause inconvenience in what must happen. But I believe the public and this House generally demand that any Member appointed to any responsible or important post should say why he has resigned it. My right hon. Friend the Prime Minister, a day or two ago, rightly stated that the reason for my resigning was that I did not think it right to share the responsibility of the release of the three hon. Members of Parliament who were detained under the provisons of the Protection Act. Now, I trust the House will believe me when I say that if I could have thought it right not only that these three Gentlemen should be released, but that every person detained under the provisions of that Act should also be released, I should only have been too glad to have consented. No one who has not realized the odious position which any Minister is placed in who has to carry out the provisions of an Act involving the suspension of the Habeas Corpus, can have any idea how odious it is—a man being made, as it were, the gaoler of his fellow-subjects—the duration of their imprisonment and, in some measure, their treatment depending upon his responsibility, and upon the fact that it is necessarily his opinion, rather than the law, which must be considered. That is, I say, so odious a position, that I cannot imagine any Chief Secretary who would not be glad beyond measure if he could have felt that he could rightly advise his Colleagues that they should be released. And now, just let me say that as to the other prisoners under this Act, so with these three hon. Members—I have tried to work the Act according to the repeated promises and assurances that I have made to the House that we only detained the Queen's subjects in prison without trial for the purpose of the prevention of crime, and not for the purpose of punishment. Then, why am I opposed to this unconditional release at this moment? Well, Mr. Speaker, I am obliged to give my reasons. If I speak at all—if I give any explanation—I must give a full one. Therefore I must speak plainly, but I hope not offensively. But the same reason which made me think I was obliged to vindicate the detention of the three hon. Members on the ground of the prevention of crime makes me now object to their release, because I believe that it will tend to the encouragement of crime. Now, why were these Gentlemen arrested? I have often told the House—I do not think I need dwell upon it—but I must just give the actual grounds of the arrest. Two of these hon. Gentlemen were arrested on suspicion of treasonable practices. The hon. Member for Roscommon (Mr. O'Kelly) was arrested on that ground; and the same warrant was issued, although not until two or three days after his arrest, with regard to the hon. Member for the City of Cork (Mr. Parnell.) The hon. Member for Tipperary (Mr. Dillon) was arrested on the ground of intimidation, and there were two warrants which I signed in regard to the hon. Member for the City of Cork, also for intimidation. I will make no allusion at present to the warrants for treasonable practices; but I must make a remark or two with regard to those for intimidation. I have often asserted that these arrests for intimidation were——[At this point the entrance of Mr. Parnell into the House, and the cheers with which he was greeted by the Home Rule Members, drowned the voice of the right hon. Gentleman and prevented the conclusion of the sentence from being heard.] Perhaps [the right hon. Gentleman continued] I may say that, although I could not advise the release of the hon. Member for the City of Cork, I am glad that as he is released I shall have the advantage of having him sitting opposite to me while I am obliged to allude to him in the course of my statement. I will take the two warrants against the hon. Member for the City of Cork—the two warrants for intimidation. I have often stated that I did not consider that the persons arrested on such warrants could, in any right description, be termed political prisoners. Also, I can hardly agree with what, no doubt, is the opinion held by several of my hon. Friends—as clearly shown in the Notice of Amendment placed on the Books of the House a day or two ago—that they were not simply arrested for illegal agitation. It was our duty to arrest them upon what we considered reasonable suspicion of the commission of a crime punishable by law, being either an act of intimidation or an incitement thereto. That is to say, that the Act gave us no power to arrest merely for illegal agitation; but it did give us power to arrest on suspicion of, or participation in, those actual crimes by which men were ruined or injured, or forced, by the fear of being ruined or injured, to do things which they did not wish to do, or not to do things which they did wish to do. Now, it is a common notion that they were arrested—that the hon. Member for the City of Cork was arrested—merely for obstructing the action of the Land Act. It is quite true that one of the warrants that I signed was for intimidation to prevent persons from applying to the Land Court, and the other was for intimidation against the payment of rents. But I must state that the obstruction of the Land Act was a very small part of that intimidation for which it was thought necessary to pass the Protection Act, and under which I worked its provisions. The real ground why these Gentlemen were arrested, and why many others were arrested, was because they were trying to carry out their will—their unwritten law, as they often called it — and to carry it out by working the ruin and the injury of the Queen's subjects, by intimidation of one kind or another; and that that was carried on to such an degree that no Government could have allowed it to continue without becoming a Government merely in name and a sham. I must repeat now that if the hon. Member for the City of Cork had not been placed in Kilmainham at the time he was placed there, he would very quickly have become in reality what he was called by many of his friends—the uncrowned King of Ireland. I do not for a moment say that he or the other hon. Members now present incited to outrage or the intimidation of special individuals; but what they did was, to my mind, far more dangerous than that. They organized and instituted, and successfully carried into force, a system of the intimidation of individuals generally, punishing them for obeying the law of the land and doing what they had a right to do, and very often what it was their duty to do, and punishing them for disobedience to their will and to their unwritten law. I have been obliged to go over the grounds on which these Gentlemen were arrested, Now, under what circumstances could I have approved of their release? I will at once admit that it was impossible to detain them for ever, and that we must have looked forward to their release at one time or another. I would have released them as soon as I obtained security that the law of the land would no longer be set at nought and trampled under foot by them; but until I knew that they either could not or would not try to put their will in the place of the law, and make men do what they pleased, and until I knew that the Queen's Courts and the Queen's servants would be able to prevent them from punishing the Queen's subjects by ruin for disobedience to any ukase they might claim to issue, I would have detained them in custody; and that not on the principle of punishment for crime, but for the prevention of crime. There are three conditions, on either of which I would have considered their release safe; but, to my mind, not one of these three conditions has been fulfilled. There should have been a public promise on their part; or Ireland quiet; or the acquisition of fresh powers by the Government. Now let me explain what I mean by these conditions. What do I mean by a public promise? I mean a public undertaking, or promise, to make no further attempt to set up their will, or rather their law, against the law of the land; and, under no circumstances, to aid or abet, or instigate to intimidation, to prevent men from doing what they had a right to do. We have no such promise. The hon. Member for the City of Cork, who has been alluded to this evening, has in no way, that I am aware of, disowned—I am alluding to his famous Ennis speech—this system of intimidation, of tabooing people, and of ruining people because they did not do what he was trying to make them do. In no way whatever has he disowned that speech, or the principles which induced him to make it. I am told that hopes are held out to us that there will be a change of action on his part, and on the part of his friends. Publicly, we certainly have had a Bill brought forward for the amendment of the Land Act. Yesterday week the introduction of that Bill, and the discussion upon it, induced me to say at the close that I thought it was hopeful of a better tone of feeling; but what I want is the avowal of a change—not a promise to help the Government if the Government will do something, but an undertaking to cease to oppose the Government in the execution of the law. And I must say that I entreat the House, and may I entreat my old Colleagues, not to rely upon these expectations; and, above all, not to act upon them? Let the House do what it thinks right upon these questions; let it pass what Bill it thinks fit upon that most difficult and urgent question of arrears—and I will go as far as most Members in regard to that matter—let them do what they think right upon the Purchase Clauses of the Land Act, or upon any other amendment of the Land Act; but do not try to buy obedience to the law by concessions. A surrender is bad, but a compromise or arrangement is worse. I think we may remember what the Tudor King said to a great Irishman in former times—"If all Ireland cannot govern the Earl of Kildare, then let the Earl of Kildare govern Ireland." The King thought it was better that the Earl of Kildare should govern Ireland, than that there should be an arrangement between the Earl of Kildare and his Representative. In like manner, if all England cannot govern the hon. Member for Cork, then let us acknowledge that he is the greatest power in Ireland today; but I believe that with all England, helped by a large portion of Ireland, no concessions are necessary—that no arrangements are necessary — and that the Government should not be weakened by any concession. Well, then, I repeat, my first condition has not been fulfilled. There has been no public undertaking to cease from intimidation under any circumstances; there has been merely a hope held out publicly yesterday week, that if Parliament passed a certain Bill, that if it settled this difficult question of arrears on a certain basis, then the Party below the Gangway would cease to obstruct the law. I am talking of the condition of the hon. Member and his Friends telling us that they would not continue the action which they had pursued. I would have taken their word. The hon. Member for the City of Cork knows how I differ from him—he knows what a wonder and surprise it is to me that he can bring himself to do what he has done; but he is not only a gentleman in station; he is also a man of honour, and I would have taken his word. But his word we have not got. The next condition would be Ireland quiet—so quiet that he and his Friends could not, if they tried, do much harm, or, at any rate, not so much harm as would vindicate us in keeping them any longer in prison. I am sorry to say that that condition is not fulfilled. I differ from some—very likely from many Members of the House—I think there is considerable improvement in the condition of Ireland. There is no open resistance to the law. The Land League has been defeated, first in its dictation as to what rent should be paid, and next as to its orders that no rent should be paid. Rents are very generally paid to a very great extent all over Ireland, in spite of the Land League. "Boycotting" has been checked. The pike which was hoisted in the presence of the hon. Member, and which he may be said to have made and forged in his speech at Ennis, that pike has, to some extent, been struck down; and though there is intimidation, there is not so much as there was. I am not now taking any merit to myself, or even to those who have been acting under me and with me. But, of course, with the hard experience we have had for many months, we have found out the weak points of the Administration, and we have strengthened the strong points. The patrolling and the action of the police are much more vigorous and more effective than they have ever been before. We hear of cases of men being found out and discovered and arrested in the commission of outrages, which we did not hear of at first. I must say that an arrangement, which, with the assistance of my noble Friend, Lord Cowper, I was able to make, for the appointment of six special magistrates, has done great good. There have been far fewer crimes in consequence. [An hon. MEMBER: Major Bond.] The hon. Member knows I am not alluding to Major Bond—he knows that I am alluding to the six special magistrates. Only one word more. I am not going to dwell upon the matter. It would not become me to take advantage of the kind indulgence and attention of the House, on this personal occasion, to enter into debateable subjects to which the House will have hereafter to give its attention; but I cannot allude to the magistrates, or the Castle at Dublin, without begging hon. Members to withhold their judgment in condemnation of the arrangements of the Castle. Undoubtedly it was desirable that there should be less government by writing, and more government by personal supervision; but I hope that the Queen may be served, and long served, by such faithful and devoted and loyal and hardworking servants as most of her servants in the Castle of Dublin; and I may say the same of the police and the Resident Magistrates in the performance of their most arduous duties. Let me call attention to what has been done, and to what very nearly was not done. A danger which was very imminent last autumn—namely, that there would be no government, at least no legitimate government, in Ireland—has been warded off; and I cannot resist the temptation of relating what, a week or two ago, a lady stated to me in Ireland. I do not know that she would like me to give her name; but she is a lady who has been fighting valiantly against every kind of intimidation—and the women have shown fully as much courage as the men—in Ireland. She said—"Well, I have differed from you sometimes; but I am compelled now to acknowledge that there is a Government in Ireland." Why had we this Government in Ireland, and why were we able to maintain it? My right hon. Friend said truly that the Protection Act had not failed. It was by the Protection Act—and I know of no other means by which it could have been done—that we secured government in Ireland, or, rather, prevented the government of Ireland from not being the Queen's Government; and that we broke up the Land League, or, at any rate, so far broke it up that it had to become a Ladies' Land League; that it tried to hide itself under petticoats, or to fly to Paris, or take refuge in the sanctuary of this House. I must say one other thing, and that is that I took pains to obtain what I believe to be confidential, but accurate information, from every parish in Munster and Connaught, and from parts of Ulster, and from some of the counties in Leinster; and the information that I obtained was that, in many cases, the districts are more peaceable now and less disturbed than they were on the 1st of January; and that, upon the whole, the state of things is better, although, undoubtedly, it is still very bad. There are still many outrages. They have slightly diminished of late; but there are many as compared with last year and the year before. Undoubtedly, the secret societies have been more active; and I am very glad my right hon. Friend stated that they would occupy the attention of the Government. But this much I must say, and that is that if there is one thing worse even than secret societies, it is the open acknowledgment of the powerlessness of the law without the assistance of the law-breakers. Better even secret societies with which we must contend, and which we must put down as we have put them down before; better even these hideous incidents of the demoralization of Ireland than paying black-mail to law-breakers. There is no doubt, also, that the Land Courts are at work, and that the Land Act has taken hold of the imaginations of men, and is appealing very strongly to their interest; but the battle of law against lawlessness is not won; and I believe that, since that battle was begun, there never was a time in which it was more dangerous to relax the authority of the law. I know very well there are many on both sides of the House who do not agree with me; that they will not admit that, unless this step had been taken, we had hope of success. I believe that soon the law would have been shown to be all-powerful; that soon these secret societies, in their last manifestation, would have been put down; and that we should have had, neither secretly nor openly in Ireland, to contend with organizations defying the law. I hope the step that has been taken will not make that time more distant. That was the second condition, that Ireland should be quiet, and it has not been fulfilled. Now, there was a third condition, and that was the one to which I myself looked forward as the condition upon which we should have been able to open the prison doors. That was the passing of a fresh Act—an Act which seemed to be required by special circumstances. I will not take up the time of the House on this point. I only rejoice that my right hon. Friend sees the necessity of an Act; but if he had been, more or less, for the last two years in Ireland, as I have been, however important the questions of Procedure are —and no one more than I acknowledges their importance, or is more anxious to see them carried out—I think he would feel that this Irish matter, this law for strengthening the power of the Government, must take, or, rather, ought to take, precedence of anything else. What I hope will be pointed to in such an Act is the greater certainty of punishment, and more appeals to the district to make them interested in the prevention of crime. But what I had hoped was this —that as soon as possible—there may be different definitions as to how soon that may be—there would have been an agreement that, as soon as the absolutely necessary Business was disposed of, this Act should be passed, and then I had fully hoped that we might, at any rate, have tried the experiment, not merely of releasing these three Gentlemen, or those who were arrested on similar grounds, but of releasing all whom we have detained without trial. Well, my Colleagues have decided otherwise, and I had to consider what I should do. It may be that I am mistaken. I only trust that I am. You may well say—What is the opinion of one man against that of 13, many of them far better qualified to form an opinion than I am. That one man, however, had the opinion so strong, that it was impossible for him to appear here, and not to acknowledge that he held it. I hope, as I say, that I may be mistaken. There may be an immediate diminution of outrages. Most heartily do I hope there will be. I observe in *The Times* correspondence from Ireland yesterday—[An hon. MEMBER: Patton.]—I do not know whether hon. Members will dispute the statement—that since the release many men are hoping that rents will be even better paid than they have been, and that the May rents, only just due, will be paid. I am glad to hear it. I am glad that men should be doing their duty in paying the debts they owe, and that many men and women who have been put to sore straits for the want of their rents should be getting their money. But it is not altogether with an unmixed feeling that I heard that statement made in that way. It may teach this lesson to both landlord and tenant—that the hon. Member for Cork and his Friends can get rent paid, and debts paid, when the Government cannot. And I cannot forget that for many months we have been teaching the lesson, and with success, that whatever the hon. Member and his Friends did, or tried to do, the Government would insist upon men paying their lawful debts, whatever obstacles these hon. Members might interpose in the way. But, Mr. Speaker, that is a lesson which it is not difficult to unlearn. There may, as I say, be this immediate diminution. Another fear which I had, and had very strongly, is one in which I hope, with all my heart, I am wrong, and that is that the price paid for this immediate diminution of outrage, if we obtain it, will be a weakening of the powers of Government, not of this Government merely, but of any Government, to perform its first duty of giving protection to life, liberty, and property, and doing it without any arrangements with those who threaten to defy the law. There is another matter which I will only allude to for a moment. There were two of these warrants for treasonable practices. I hope that treasonable practices, by which I mean incitement to excitable people in Ireland to what may lead them into armed resistance—though, perhaps, it may not be so intended—may not be made more probable by the course that has been taken. What I have to say is this—that with these fears, amounting to strong convictions, I could not retain my position. I asked myself the question in every possible way. No man tears himself away from his Party without a desperate wrench, and without trying to find how he can avoid it. I asked myself this question—"Will the arrangement which has been made, which I entirely approve of, which, I may say, I promoted, and which, I may almost say, I instigated—will the appointment of my noble Friend Lord Spencer as Lord Lieutenant help me to maintain my position?" When I say I promoted it, let me give the reason. It was not from any want of confidence or reliance in my noble Friend Lord Cowper, or from any failure of assistance from him. He and I have worked together with the greatest harmony and agreement through all these difficult times. But I promoted the appointment of Lord Spencer simply for this reason—that in the great difficulties which there were in Ireland, it was necessary, as I thought, that there should be a Cabinet Minister there to direct affairs. As I happened to be a Cabinet Minister, who also had to be in London, I plainly could not be in two places at once. I asked myself for a moment whether, inasmuch as the new Lord Lieutenant would have the most actual responsibility for the administration, I could not silence my fears and not listen to my convictions. But I was obliged to remember that I should have to vindicate his policy in this House. Everyone who works with others is, I suppose, sometimes obliged to refrain from saying, or even from doing, what he would like to say or do; but I do not think that any man is called upon to vindicate or to say a thing which he does not believe, or of which he does not approve. It is quite true—and I could not but think that there was force in the statement—that I might to some extent be intensifying the danger by leaving my post—that it would appear to make the change more marked; but there, again, no public good is really advanced by an act of private dishonour. Nor do I really believe that the public good would be diminished. I think there is a greater chance of an immediate diminution of outrages. There is the great pleasure amongst hon. Members opposite and their Friends of getting rid of the late Chief Secretary; and if this puts men into good humour in Ireland, as well as here, it may be that in their efforts to stop outrages, if they make them at all, they will be stronger than they would otherwise have been. Most certainly the price paid, and which I fear must be paid, for such diminution of outrages—the weakening of Government—will be less than if there had been the disgraceful spectacle of my swallowing what was known to be my convictions in order to retain my seat in the Government. I therefore was driven to take this step. It has been very painful to myself. I shall not detain the House much longer. It is painful to leave the Councils, and the proud position of being one of the Leaders of that great Party, to which all my life I have belonged; though, to my own mind, I have not in any way forsaken any one of its principles, and most assuredly I remain a faithful soldier in the ranks. It is painful to leave Colleagues and intimate friends at a time of difficulty; and, above all, it is more painful to me than I can find words to express to leave the service of my right hon. Friend the Prime Minister, than whom there never was a Chief who won more the affection, the loyalty, the respect, and the reverence of one who has served under him. I have only two things more to say. This step having been taken, I hope it may succeed. Anything which I can do without dishonour to my conscientious convictions will be done to smooth the difficult path of my Successors, both Lord Spencer and my noble Friend (Lord Frederick Cavendish), who, I am glad to hear, is the man who is to succeed to the not very enviable post of Chief Secretary. I have now only to thank the House most sincerely for the generous and kind attention they have given me. May I add one word more to thank, as I do most sincerely, the very large majority of the House on both sides, for the personal kindness they have shown to me for two years in the difficulties, which have been not slight, of the post which I have occupied.

MR. O'KELLY: Sir, I have to ask the indulgence of the House to address a simple question to the right hon. Gentleman who has just sat down. I am one of those persons whom he has held in prison for the last six months, the only charge made against me being one of treasonable practices. May I ask the simple question on what that charge was founded? ["Order!"]

MR. SPEAKER: I must point out to the hon. Member that the right hon. Gentleman has, under the exceptional circumstances, made an explanation to the House. But as there is now no Bill, or other Question before the House, the hon. Member is out of Order unless he desires to make a personal explanation.

MR. GLADSTONE: If, Sir, the statement the hon. Member wishes to make partakes of the nature of a personal explanation arising out of the statement of my right hon. Friend, I will give way to him; otherwise, in conformity with the practice of Parliament, I should wish to make a statement upon the same subject as that of my right hon. Friend, and which, I think, will be of some use to the House as tending to clear its views of the position. Does the hon. Member wish to proceed? [Mr. O'KELLY: No.] Then, Sir, let me say, in the first place, that the statement of my right hon. Friend has been such as I had expected from him—such as I had expected from him from the experience of a long and close association, which has given me abundant means of appreciating his personal qualities. I have on all occasions spoken freely upon that subject, and I need not now enter into details; but I may say this, in acknowledgment to my right hon. Friend, that no man believes more fully than I do—and more fully than I am certain every one of his late Colleagues do—that in retiring from Office at this period it has not been his intention in any manner to abandon or compromise the Liberal principles to which he has devoted his life, and I hope that for very many years to come—for my right hon. Friend is a good deal younger than I am—he will continue still to defend and adorn those principles. There was, Sir, but one passage in the speech of my right hon. Friend which caused me surprise and regret, and I cannot but believe that it was introduced by inadvertence. It was the passage in which he referred to the course taken by the Government in laying down from the commencement of the Session that, notwithstanding the grave condition of affairs in Ireland, the question of the Procedure of the House should take precedence of all other questions. [*Laughter.*] I will patiently wait, Sir, till those manifestations cease. I am persuaded they are not approved by the great body of this House; and I think that some day or other they will be regretted by those who make them. Those circumstances are too grave for such manifestations. I only regret them on my own account, because I have a difficult duty to perform, and my desire is not to fail in that duty more than is unavoidable. I have referred to my right hon. Friend's reference to the course taken by Her Majesty's Government with regard to the Procedure of the House only to express my regret that he should have made it, and I now pass on. There are three or four observations, not, however, of very great length, which I wish to make on portions of my right hon. Friend's statement. The first observation I have made in order—namely, the reference to Procedure. The second, Sir, is with respect to a considerable portion of the speech of my right hon. Friend, in which he entered into a vindication of the arrests which have just been terminated by release. I hope that my right hon. Friend has no apprehension—indeed, I am quite certain he has no apprehension—that Her Majesty's Government, as it is now constituted, is likely to shield itself from any portion of its full responsibility for those arrests. It has been justly said that the policy of my right hon. Friend was the policy of the Government, and the arrest of the hon. Member for the City of Cork (Mr. Parnell) was the subject of direct personal communications between my right hon. Friend and myself—two or three days, I think, before it took place. Had it been the pleasure of hon. Gentlemen opposite to make any reference to those arrests I should not have stood in their way; but at the present moment I only advert to this matter in order to acknowledge, and even more than acknowledge—to claim my full share in the responsibility for each and all of those arrests. The third point I wish to notice is regarding words used by my right hon. Friend more than once in his speech, equivalent to saying that he desired to obtain from the hon. Member for the City of Cork and those with whom he acted an avowal of change. I wish to lay emphasis on the word "change." It is something like, in effect, asking for a penitential confession of guilt. I think I am correct in saying that I express the sentiments of the Government, and I certainly express my own clear and full opinion, when I say that I disclaim alike the desire and the right to ask of the hon. Member for the City of Cork, or any of those who sit near him, anything of the sort. In considering whether we should be justified in closing the prison doors on the hon. Member for the City of Cork, I had no title to ask any question but the one whether I believed that the effect of his release would be prejudicial to the public tranquillity. I do not believe the hon.

Member would ever come with a declaration of that kind, and certainly I am not the man to go to any Member of the House and ask him for any statement involving his own humiliation. We differ widely from the hon. Member. No man has spoken out more broadly the whole extent of the imputation that he thought might lie against the conduct of the hon. Member than myself. But I frankly own that for this purpose, whatever opinion I hold—be it true or false—it has nothing whatever to do with the question whether we should have been justified in prolonging the imprisonment, which on our responsibility we were compelled to do. Well, Sir, that is the third remark I wish to make. The fourth is this. I do not complain at all of the statement of my right hon. Friend, and I know the difficulty of making these explanations on parting from Office. It has been my own fate on former occasions, and I only wonder at, and admire, the self-denial and self-abnegation which has marked my right hon. Friend's statement. I find in it a new faith and assurance that both our public and personal relations will remain unchanged. But my right hon. Friend has also, and I think again and again, used expressions, not unnatural from his point of view, to this effect—"Do not buy obedience to the law; do not enter into any arrangement; do not pay black-mail." Now, with every one of those propositions I entirely agree. But I hold them—and this is the point of difference between my right hon. Friend and myself—I hold them to be wholly without application to the circumstances in which we stand. There is no arrangement between the hon. Gentleman the Member for the City of Cork and ourselves. That very word "arrangement," which has been used by my right hon. Friend, I myself used on Tuesday in order to repudiate the idea. There is no bargain, no arrangement, no negotiations; for nothing has been asked, and nothing has been taken. By those words I abide in their strict sense, and I repeat what has been already stated, that we have frankly availed ourselves of information tendered to us as to the views of men whose position in Ireland makes them, at any rate, sensible factors in the materials that go to determine the condition of that country; and that information has led to conclusions on our part to which we have hastened to give effect. But in that information I do not assert, I do not insinuate—on the contrary, I exclude all promises, which we have neither asked nor given. Now, Sir, what is buying obedience to the law, and what is paying black-mail? To pay black-mail, or to buy obedience to the law, is to give something that you would not otherwise give. Are we going to do so? What, then, is that it we are going to give? What is it that we have promised in conjunction with the release of the hon. Member for the City of Cork? Sir, there is nothing promised in connection with that release. It is, as the House knows, the intention of Her Majesty's Government, upon the earliest opportunity they can find, to legislate on the subject of arrears of rent. On Wednesday in last week I had not received the information that has since come to my knowledge; I spoke simply upon the public manifestation—a manifestation of the greatest and most salutary importance—afforded by the Bill then under discussion, even though I could not assent to many of its provisions. I spoke simply with the manifestation afforded by the Bill, and by the speeches with which it was proposed and supported; but I stated on that occasion, as I may be permitted to remind the House, that we admitted the necessity of dealing with the question of arrears, and that there were two methods of dealing with them, the one permissive and by loan, and the other compulsory as regards the individual and by gift; and I expressed a great desire to know the sentiments of Irish Members of all sections in reference to this question. Sir, I believe the impression made on those who did me the honour to attend to the slight exposition that I made was that, in endeavouring to describe these two methods of proceeding, the leaning of my speech was towards the method unquestionably more effectual — namely, the method resting on the two pillars, so to speak, of gift and of compulsion—and I referred in terms of not too literal adhesion, but of general commendation, to the framework of the clause—Clause 10—in the Bill then under discussion. Now, those were the declarations of Wednesday week. They do not constitute black-mail. They do not constitute price paid for obedience to the law. They referred to a measure which it would have been our duty to propose and to carry. Whether we had or had not received any information as to the views of the hon. Member, it would have been our duty to propose and to carry such a measure, even as part of our general obligations to the people of Ireland. Now, having gone thus far, I wish to refer very briefly to the three conditions laid down by my right hon. Friend. I am not sure whether the House gathered with perfect clearness what was plain and obvious to me, aided as I was by previous knowledge of the sentiments of my right hon. Friend, that these conditions were not cumulative.

Mr. W. E. FORSTER: I stated so. I said either one or the other.

Mr. GLADSTONE: Then I am perfectly satisfied. I will take those conditions, with the permission of the House, in the reverse order. The third condition was this—that my right hon. Friend would have been ready to release the three Members of Parliament lately detained after the passing of a fresh Act, with additional powers for the government of Ireland.

Mr. W. E. FORSTER: The whole of the "suspects."

Mr. GLADSTONE: Yes; but that is no qualification at all of what I am about to press; but we were to wait, as regards these gentlemen, for the passing of a fresh Act establishing new powers for the government of Ireland. Now, the point I wish to put to the House—I hope I may be able to make it clear—is that, if it was our conviction that the release of those three Gentlemen was a measure favourable to the peace of Ireland, and not unfavourable to it, then it was our bounden and absolute duty not to wait for the passing of such a measure. It could not have had a shadow of justification. Then take the second condition of my right hon. Friend. My right hon. Friend said Ireland was not quiet, and undoubtedly we do not greatly differ from the statement given by my right hon. Friend in the picture which he drew of the state of Ireland, and we do not found our justification upon any allegation in the face of the House that the present condition of Ireland is quiet or satisfactory. Then my right hon. Friend clearly conveyed to the House, without having Ireland in a conditon quiet and satisfactory, and without having any Act for strengthening the powers of the ordinary law, he would have been willing to concur in the release of the prisoners who had been released had there been a public undertaking from them of a satisfactory character with reference to their conduct upon and after their release in regard to the maintenance of law and order. Now, let us consider what this involves. We had information which, with the views we entertained, carried to our minds the weight of a rational conviction that those hon. Gentlemen, on their release—taking into view the debate of Wednesday, and the declaration of what was, in their minds, regarded as quite essential—namely, the settlement of the question of arrears—I say we had in our minds the belief, founded on information, that those Gentlemen would find themselves in a condition to range themselves on the side of what I should call law and order and individual freedom in Ireland. There is still one element wanting in the conditions stated by my right hon. Friend. He says he would have required a public undertaking. Now, Sir, what does that mean? It means that we must have entered into an arrangement with the hon. Gentleman. It means we must have knocked at the door of the cell in which, unhappily, he was for the time confined, and should have said to him—"We are not going to take exception to what we understand to be fair sentiments; but we are going to require of you to make a public undertaking." Sir, we made no demand of that kind upon the hon. Gentleman. In my opinion, it would have been a grave and serious error had we made such a demand. We desire to trust ourselves freely, Sir, notwithstanding the wide differences that have prevailed between us, to the honour, to the spirit, and the unrestrained liberty of the hon. Gentleman and those with whom he acts. Again, then, Sir, I have only to refer the House to that which previously it has been my duty to state. My right hon. Friend the Member for Bradford has to-day illustrated it by saying that it was his duty to open the prison doors upon either one of two conditions—first, that the release would not be dangerous; the second, that the intention of the persons released was not such as to inspire him with apprehension. But, Sir, I must observe that, although my right hon. Friend thinks it was of vital necessity that we should have asked the hon. Member for the City of Cork for a public undertaking, my right hon. Friend has himself, and I am extremely glad of it, ordered the release of very numerous persons in Ireland without any public undertaking whatever—expressed or implied. So that the proposition comes to this—that, although I was ready to release others in whose intentions as to law and order I had no reason to confide, yet we were to draw the line of distinction against the Members of this House who were imprisoned, and to negotiate with them for a public undertaking as a condition of release.

MR. W. E. FORSTER: I am sorry to interrupt my right hon. Friend; but I think I must have very poorly expressed myself if I conveyed the impression that I made it a condition that we were to ask the hon. Members for a public undertaking. I never for a moment thought that. What I stated was, that if any of these three things happened—that Ireland was so safe that they could not do harm, or if we obtained fresh powers which enabled us to try the experiment of letting them out, or that they themselves came forward with an undertaking.

MR. GLADSTONE: I am very glad, Sir, that my right hon. Friend's explanation makes a farther contribution towards clearing the situation. My right hon. Friend says he would not have gone to ask for any public undertaking. Well, but then, Sir, in my opinion, that does not alter the case as to our position. We were in the position of having received information—[" Oh, oh! "]—I submit myself to the hon. Gentleman the Member for—but, no; I will not name him, and will await his pleasure. We were in this condition. We received information upon evidence which we knew to be most trustworthy, and which conveyed to our minds the conclusion that I have described—namely, that were the intentions which, as I have said, the Government referred to on Wednesday week fulfilled, it would be a course which would attain the objects of my right hon. Friend. But then, Sir, what were we to do? One thing of two we must have done. We must either have gone to Kilmainham and asked for an engagement—[*renewed cries of* " Oh, oh! "]—I must own, Sir, this interruption is to me unusual and unknown in this House. Either we must have gone to the hon. Member for Cork, and asked him for an engagement, which my right hon. Friend justly says he would have objected to doing, or else, having information as to the views of Irish Members, the hon. Member for Cork included, which gave to us the conviction I have described, we were still to have kept him in prison. Was it possible for Ministers of the Crown, possessed of such information in regard to persons whose honour we have no title to dispute, to treat it as if it had never reached them, and to continue them in in their confinement? Well, there is the whole case, I think in some degree elucidated by the discussion to-day, by the explanation of my right hon. Friend, and the explanation the House has permitted me to make as it stands between us. I will only close as I began, by thanking my right hon. Friend for his kind expressions towards myself, and by stating my undiminished confidence alike in his ability and character, and by renewing all the fervent wishes I have expressed for his future happiness and welfare.

MR. PARNELL: Sir, I desire to trespass on the time of the House for a few moments, not to join in the debate which appears likely to be originated by the two speeches we have just heard; but for the purpose of making a statement of a personal character with reference to what we have heard from the Prime Minister as to the part I have taken in the matters which have been touched on by the right hon. Gentleman. My statement, Sir, will be of a very simple character, and in making it I desire to put the House and the public fairly and fully in possession of anything which I may have said or written to any friends of mine during the last week or so, regarding the maintenance of law and order in Ireland, and regarding the question of the amendment of the Land Act. The right hon. Gentleman the Prime Minister has made two statements, which, on the face of them, are of a contradictory character. He stated in the first portion of his speech that the Government had thankfully availed themselves of information tendered to them with reference to the views of myself and of the hon. Members for the Counties of Tipperary and Roscommon.

MR. GLADSTONE: I did not limit it to any two Gentlemen.

MR. PARNELL: And that their information had led the Government to the conclusion upon which——

MR. GLADSTONE: "Their" information! "This" information.

MR. PARNELL: And that this information had led the Government to the conclusion upon which they had acted —that upon our release we would find ourselves in a position to range ourselves upon the side of law and order. That is the statement of the right hon. Gentleman.

MR. GLADSTONE: Not quite literally; but if the hon. Member will kindly go on I shall be able to correct him later.

MR. PARNELL: That is the statement of the right hon. Gentleman to which I wish to call attention.

MR. GLADSTONE: I think I had better refer the hon. Gentleman to the record of what I said. On each occasion on which I referred to the subject I may not have given expression to my full view; but I stated quite distinctly that, according to our understanding, it was absolutely essential in the view of the hon. Gentleman—as, indeed, I had understood it to be in the view, in the Wednesday's debate, of all the Gentlemen present in this House holding the same sentiments—that the particular question of arrears should be settled upon a certain basis. Subject to that modification, I think the statement is correct.

MR. PARNELL: I accept the explanation of the right hon. Gentleman; but the statement I have just quoted is the one I wish to comment upon, and which I wish to compare with the subsequent statement, the effect of which is what the right hon. Gentleman has just given. Later on in his speech the Prime Minister said that they were in the position of having received information that, were the intentions of the Government announced on Wednesday regarding the arrears carried out, a course would be taken in regard to the restoration of law and order.

MR. GLADSTONE: Oh, no, Sir; I beg pardon. I never made that statement. On Wednesday I referred to two alternative methods of procedure, and I did not state any decision of the Government on that day as between the one and the other. My understanding about arrears was that, in the view of Irish Members sitting in that quarter of the House, it was vital that one of those methods, and not the other, should be accepted; but I never stated that I supposed, nor was I represented to suppose, that the statement made by me on Wednesday in last week was all that was sought by the hon. Gentleman.

MR. PARNELL: I do not wish to contrast the two methods of settling the arrears of rent, or to suggest that the right hon. Gentleman on Wednesday pinned himself or the Government to one method or the other. What I wish to point out is that the right hon. Gentleman stated that the Government were in the position of having received information that, were the course adopted by the Government on Wednesday regarding the arrears fulfilled, we should take a certain course.

MR. GLADSTONE: Oh, no; pardon me; I never said such a thing; because no intentions of the Government were announced on Wednesday, except as to dealing with the question of arrears.

MR. PARNELL: Precisely; that were the intentions of the Government announced on Wednesday—that is to say, the intentions of the Government to deal with the question of arrears fulfilled—a course would be taken by us with regard to the restoration of law and order. Well, Sir, I have quoted the two statements of the right hon. Gentleman——

MR. GLADSTONE: I never stated it.

MR. PARNELL: In order to show that they are of an entirely different character. In the first portion of the speech the idea is conveyed that if my hon. Friends the Members for Tipperary and Roscommon and myself were released, we would take some special action in regard to the restoration of law and order. I presume that the right hon. Gentleman has received communications from some of my friends to whom I may have made written or verbal or written communications on the state of Ireland; but I wish to say emphatically that I have not, in conversation with my friends, either verbally or in writing, entered into the question of the release of my hon. Friends and myself as any condition. [MR. GLADSTONE: Hear, hear!] I have not, either in writing or verbally, referred to my release. I have not, either in writing or verbally, referred to this release; and with respect to the first statement of the Prime Minister—I am sure the right hon. Gentleman did not intend it—I wish to say it is the reverse of the fact. I have stated verbally to more than one of my friends, and I have written that I believed the settlement of this Arrears Question, which compels the Government to turn out into the road tenants who are unable to pay their rents, who have no hope of being able to pay rents to which they were rendered liable in the bad seasons of 1878, 1879, and 1880, would have an enormous effect on the restoration of law and order in Ireland —would take away the last excuse for the outrages which have been, unhappily, committed in such large and increasing numbers during the last six months; and that if such a settlement were made, I believed that we, in common with all persons who desire to see the prosperity of Ireland, would be able to take such steps as would have a material effect in diminishing those exceptional, those lamentable outrages. I have desired to make a statement with regard to a matter of fact. I do not wish to enter into the debatable matter which has been introduced by the late Chief Secretary for Ireland.

MR. DILLON: Sir, if the House is kind enough to allow me to say a few words of personal explanation I will not trespass upon it for more than five minutes. I merely wish to say that there is one sentence which I have taken down verbatim from the Prime Minister's speech, which is calculated to convey a wrong impression, and I think it would be desirable, before any formal debate should take place, that the House should be in possession of the truth. The right hon. Gentleman said the Government were in the position of having received information, on evidence which they knew to be most trustworthy, that were the intentions expressed by the Government on Wednesday in the discussion on the Land Act Amendment Bill fulfilled the hon. Members would find themselves in a position to range themselves on the side of law and order. Now, Sir, I only desire to say on my own behalf—I speak only for myself—that during the somewhat lengthened period since I last appeared in this House I never had, either directly or indirectly, in any sense, any communication with the Ministers of the Crown or the Government of Ireland. What the right hon. Gentleman's source of information may be I do not know; but the only explanation which presents itself to my mind of the statements and hints which have been thrown out from that Bench is that I was aware of the drafting of a Bill which was submitted to this House, and that I never took any trouble to conceal my conviction that if the proposals in that Bill were passed into law, and the Coercion Act were withdrawn, it would be easier to maintain law and order in Ireland. I have never taken any trouble to suppress my conviction to that effect. I said it over and over again to friends, but I did not care in the least degree whether it reached the ears of the Government or not. In making that statement, I have not deviated a hair's breadth from what I said before in this House—namely, that if you leave the Irish people their public rights and stop evictions you will stop outrages, and you will have no trouble to maintain law and order. I say the provisions of that Bill would stop evictions, and if you leave the Irish people their right of public meeting, and if you restore to the responsible Leaders of the Irish people the responsibility and power of controlling the people, you will find it less difficult than you have done to maintain law and order in Ireland. I have only to say, in conclusion, that having been for some time under the custody of the right hon. Gentleman the late Chief Secretary for Ireland, against whom, I may say, I do not entertain the slightest personal animosity, I now feel myself just as free to take any course which may seem right and judicious to me, the Government not having yet stated what they proposed to do, as I did when I went into Kilmainham Gaol; and if the Prime Minister believes that I feel myself in any way honourably bound to shape my actions otherwise than may seem to me right, he is greatly mistaken.

MR. O'KELLY: The right hon. Gentleman the late Chief Secretary for Ireland, in the course of his speech, has taken occasion to repeat over and over again the statement by which he endeavoured to blacken our characters when he put us into prison. In the course of his speech to-day he has not thought it necessary to adduce the slightest proof in support of the serious charge which he brought against me personally. After arresting me, as I hold, without cause, without justification, he has risen in this House to defend his conduct, and in doing so he has directed against me a charge of a serious nature, as though it was a matter of no consequence to accuse me of being concerned in treasonable practices, without deigning to adduce one iota or one shadow of proof in justification of that assertion. When I rose to challenge the statement of the right hon. Gentleman, I wanted to ask him to state here in the House, that hon. Gentlemen might form some just notions of the grounds of his action, upon what information and upon what proof he laid that charge of treasonable practices against me. The right hon. Gentleman intimated that, if I had not come to him for liberation, he would have allowed me to remain in prison. But, Sir, anyone who knows me must know that sooner than ask the right hon. Gentleman to liberate me I would have died in prison. The statement made by the Prime Minister appears to throw on us some shadow of suspicion that we came to the Government offering some conditions. ["No, no!"] That was the impression made upon me. It is an impression, at least, that we are justified in repudiating at once, because there is no shadow of foundation for it. The right hon. Gentleman the late Chief Secretary for Ireland has constantly stated that we were enemies of law and order in Ireland. Now, I challenge that statement, and I say that there has not been within the four seas of Ireland so great an enemy of law and order as the right hon. Gentleman. I say, further, that there is not a man in Ireland who is anxious for disorder or in favour of violence. [*Cries of* "Order!"]

MR. SPEAKER: I must point out to the hon. Member that he is now going beyond the bounds of personal explanation. He is now attacking another Member of the House, which he cannot do within the limits of a personal explanation.

MR. O'KELLY: Perhaps I have been carried away too far in answering the charge brought against me; but it is no light charge to throw in the face of men as honourable as the right hon. Gentleman himself, whose lives are quite as pure as his, whose lives will bear examination quite as well as his, to charge them with being the enemies of law and order in their own country, and, further, to make against some of them a specific charge of great gravity without adducing the slightest evidence in support of it.

MR. GLADSTONE: I only wish to say a word of explanation. I believe there is no difference as to the sense of what I stated; but I perceive, upon consideration, that the words I used—the words "upon release"—may be understood, if taken alone, to imply that the hon. Gentlemen covenanted to do something on release. But I think the positive declaration I have made, that there has been nothing given and nothing taken, may be regarded as quite ample to remove any misapprehension. I am not surprised that the hon. Gentleman should be sensitive on the subject. With regard to what happened on Wednesday, I will not go back upon that matter; but I hope it will be clearly understood that I had been aware all along, from information I had received, that the hon. Member for Cork City undoubtedly looked to the effective settlement of the Arrears Question as the basis of a restoration of law and order in Ireland.

SIR STAFFORD NORTHCOTE: Sir, the House has, in accordance with its usual custom, given to the right hon. Gentleman who has recently quitted the Ministry, and to the Prime Minister, as representing the Ministry which he has quitted, and to the other Gentlemen whose names have been brought into the discussion in a manner which seemed to require some statement from them, an opportunity of making personal explanations. But it does seem to me that it would not be inappropriate that those who have no personal explanations to give should still be allowed to make one or two observations upon the extremely vague statements we have heard in the course of the evening. I wish, in the first place, to say what I am sure is the feeling of the House, that upon no occasion on which I have heard a retiring Minister make a statement of the grounds of his retirement have I heard anything more dignified than the statement of the right hon. Gentleman. As one who has frequently had occasion to differ from the right hon. Gentleman in the course of his conduct of Irish affairs, I wish to express on my own behalf and that of my Friends our sense of the great labour, industry, courage, and fidelity with which he has discharged his duty. The grounds which the right hon. Gentleman has stated to us as the grounds on which he felt it necessary to sever himself from his late Colleagues are of so serious a nature, that I think his statement will cause general uneasiness and alarm in the country. The right hon. Gentleman began by telling us the ground on which he separated himself from his Colleagues—that they were prepared to allow a certain number of Gentlemen, Members of this House, and other "suspects," who were detained under the Protection of Person and Property Act, to be discharged; and that he separated himself from his Colleagues on the ground that he could not take the responsibility of an act which, in his opinion, would tend to the encouragement of crime in Ireland. Now, Sir, I do not wish to draw any distinction between the action and position of the late Chief Secretary for Ireland and the position of the Members of the Government. They were all equally responsible. But we cannot shut our eyes to the fact that the right hon. Gentleman had, far beyond all his Colleagues, the opportunity of knowing exactly and appreciating the real state of affairs in Ireland; and when he tells us that this act, which of itself seems to require some explanation, was one which he could not confirm, because he thought it dangerous, and because he thought it might tend to the encouragement of crime, I must say that that is a statement so serious that it demands on the part of his late Colleagues the most ample and satisfactory explanation of the grounds upon which they proceeded. What did the right hon. Gentleman tell us. He told us that if the original act of arresting these Members had not taken place, the state of Ireland would have been so serious that the Government would have become the Government only in name. He told us that they were the authors of an organized system of intimidation—that it was absolutely impossible for the law to take its course if these Gentlemen were not checked in their career as they were. He goes on to say that he quite understood that they could not remain in prison for ever, and that he should have been content to agree to their discharge if one of three conditions had been secured—if either there had been a public promise on their part to make no further attempt to set up their will against the law, or if the state of Ireland had been such as to give the assurance that quiet and order were restored, or if the Government had acquired fresh powers of dealing with disorderly and illegal practices. If any one of these conditions had been fulfilled, the right hon. Gentleman was willing to consent to the release of the "suspects." But he tells us that none of these conditions were complied with; and I would ask the House, having listened to the Prime Minister and the dialogue which has taken place—a rather peculiar dialogue between himself and the hon. Member for the City of Cork and the other two Gentlemen—whether we can at all satisfy ourselves that the Government have made out a case? There is one condition, unfortunately, which we know is not fulfilled. Neither the right hon. Gentleman nor the Prime Minister has ventured to say that the state of Ireland is yet a state of peace and quietness. That being acknowledged by all, it is unnecessary I should dwell on it. They do not rest their conduct on this. Very well. What do they rest it on? Is it upon their intention to acquire fresh powers, or upon the avowals made of the intention of the hon. Members to range themselves on the side of law and order? That appears to be the ground mainly put forward and rested upon by the Prime Minister. It is mainly because of the assurance which he thinks he has received, that these Gentlemen are prepared to range themselves on the side of law and order, that he has taken this very serious step. I should like to know, first of all, what sort of advice the Government have taken on this matter to induce them to think that this step is a safe one? Evidently it was not the advice of their late Colleague. Whose advice was it, then? Was it the advice of the Resident Magistrates and of the authorities throughout Ireland? I think we ought to have some information on that head. These are the gentlemen who are administering the law under great difficulties, and sometimes at some risk. They are men thoroughly acquainted with the condition of the country. Have they been consulted, and have they acceded? I ask this with all the more earnestness because I remember well that at the time of the accession of Her Majesty's Government to Office, they had placed before them by those who were well qualified to speak from different parts of Ireland, representations to them and to the Government who preceded them, of the necessity of renewing the Peace Preservation Act. They set those opinions aside, and rested upon their own judgment—upon their own *a priori* opinion—and so far as I can make out, it is very much more upon their *a priori* opinion than upon anything of a more substantial character they have taken this step. The right hon. Gentleman said just now that if he was of opinion that the release of the "suspects" would have the effect of promoting order, rather than endangering it, he was bound to release them. Certainly. But where is the evidence? I think he has failed to make out his case. I entirely understand the main point which has been insisted upon by the hon. Member for Cork City and the other two Gentlemen—namely, that they made no kind of condition as to their release being dependent upon acting under any engagement whatever. That is the point they have insisted upon, and naturally insisted upon, in order that they do not compromise their own honour by desiring to obtain their release on conditions; but, while I understand that, I fail to understand how far they have gone in expressing their opinion that Ireland may be pacified now that it is their intention to support measures for the pacification of the country, supposing certain arrangements are carried out by the Government. References are made continually to what was said in regard to the Bill which was before us on Wednesday week dealing with the question of arrears. Evidently that Bill is in some way connected with the arrangement. To what extent has that Bill been accepted? How far are the particular provisions of that Bill to be insisted upon. How far are Members to be bound by the course taken in regard to the Bill? That is a matter with regard to which many of us are still in doubt. If that is one of the conditions, let us ask as to the remaining ones. Are the Government about to ask for the acquisition of fresh powers or not? That is a point on which there ought to be no misunderstanding; but I am sorry to say I am very far from yet understanding it is the intention of the Government seriously to propose a measure of the kind. We are told we are to go on with Procedure, and that we shall know after that. I am bound to say that seems rather like a mockery. I think it will have the effect of giving the impression in Ireland, either that the Ministers do not know exactly what they are going to do, or that they are half-hearted about it. What seems to me most important is that there should not be the possibility of mistake on the part of the Irish people as to the firmness and intentions of the Government. If they have measures of a remedial character for dealing with Arrears, or with the Purchase Clauses, or any other part of the Land Act, let us know what they are. Do not keep them dangling before us, exciting hopes, producing extravagant demands, and creating additional confusion; but let us have a statement of their policy, let us be told precisely what measures they intend to bring forward, and let us have all this beyond the possibility of misunderstanding or doubt; and, similarly, if they require any fresh powers for the administration of justice, and for the maintenance of peace and order, let them bring forward these measures, and let them lay them before the House and the country, and then we shall understand, and then the people of Ireland will understand, that this new departure on the party of the Government is not in the nature of a concession. I can quite understand that it will be necessary to suspend the proceedings in the various stages of the least urgent Bills for the purpose of passing the necessary measures, and it would be a great point if we even had the declaration of a policy before us; but now we do not know whether there is any policy at all. It seems to me that we are at the point of a new departure. The old policy has been abandoned. The policy they have insisted on for more than a year has been dropped. Why has it been abandoned? Is it because it has succeeded or failed? You abandon a policy for one of two reasons —either because you have attained your object and it is no longer necessary, or because that it has failed, and you resolve to try something else. But here we are left in the dark as to whether it is one thing or the other. Indeed, I sometimes doubt whether they have themselves made up their minds, for when we ask questions they do not deign to enlighten us on points on which this House has an absolute right to require information. Instead of giving us any information, they say—"You see what we have done, and if you do not approve, bring a Vote of Censure against us." That is a pleasant and easy way out of the difficulty; but I venture to think that it is one which will be wholly unsatisfactory to the country. It is a question on which the House and the country have a right to be informed; but we are left without the information which it is absolutely necessary we should have. I do not think that at the present moment it would be right for me to go into the general question of the condition of Ireland. I feel it is one of increasing gravity. It is one upon which we are entering and trenching in a manner extremely dangerous and unsatisfactory. But what I am anxious to press upon the Government is that they should, as speedily as possible, make up their minds and explain their policy to the House. Do not let it be drawn from them by driblets. That is what I am always afraid of in the present Government with regard to these matters. They do not come forward and make a clean breast of it; they do not come forward and say this is our policy or that is our policy. They allow themselves to be pushed on here and invited there, tempted on one side and bullied on the other, admitting this and hinting that. In that way you get perfect confusion in the minds of those whose interests are affected, and a corresponding weakening of authority on the part of those whose duty it is to maintain peace and order. The conduct of the Government, unless followed up by a distinct statement and a vigorous policy, must weaken the hands of those who are charged with the duty of maintaining law and order in Ireland, and at the same time must dangerously stimulate the expectations and passions of evil-disposed people. That which seems to me the cardinal point of the whole matter is that we should so act as not to give to the lawless part of the population the idea that they have obtained a triumph over the Government. I am bound to say, as matters stand at present, it looks suspiciously as if they had. The Government have it still in their power to show that this is not the case, if they will but take energetic and prompt steps for the purpose of showing what their policy is and the manner in which they intend to give effect to it. I beg to move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Sir Stafford Northcote.*)

SIR H. DRUMMOND WOLFF said, he would not have troubled the House but for the hazy and mysterious answer given by the Prime Minister at an earlier part of the evening, when he had asked the right hon. Gentleman whether he had received any assurance from the Gentlemen in Kilmainham with regard to their future conduct and the withdrawal of the "no rent" manifesto. He again appealed to the right hon. Gentleman for information on the subject. The Prime Minister appeared to take great credit to himself for not appealing to the hon. Member for the City of Cork to give an assurance that on his release he would abstain from the practices for which he had been detained in Kilmainham. He would, however, recollect the language in which the right hon. Gentleman announced to the enthusiastic citizens of London the arrest of the hon. Member for the City of Cork. This was the language then used by the right hon. Gentleman—

> "Even within these few moments I have been informed that towards the vindication of law, of order, and the rights of property, of the freedom of the land, of the first elements of political life and civilization, the first step has been taken in the arrest of the man—(loud and prolonged cheering, accompanied by the waving of hats and handkerchiefs)—in the arrest of the man who, unhappily, from motives which I do not challenge, which I cannot examine, and with which I have nothing to do, has made himself beyond all others prominent in the attempt to destroy the authority of the law (cheers), and to substitute what would end in being nothing more nor less than anarchical oppression exercised on the people of Ireland. (Loud cheers.)"

On February 16, 1882, the Attorney General for Ireland made use of these words—

> "Mr. Parnell himself was at this time steeped in treason to the lips. There was an obvious attempt on the part of Mr. Parnell and the Land League to subvert the supremacy of the Queen, and, using a legal expression, to levy war against her. Mr. Parnell was accordingly arrested. They must not imagine there was any desire on the part of the Law Officers of the Crown in Ireland to shift the responsibility

to the great Officers of the State. The Law Officers, when asked for their opinion, had no hesitation in giving it, and there was quite enough to sustain that opinion in point of law." [3 *Hansard*, cclxvi. 810.]

That, then, was the opinion of the Attorney General for Ireland, who now remained on the Treasury Bench—while his Colleague retired—pachydermatous of notions of official decorum. On March 28, on the Motion of the hon. Member for Sligo, the Prime Minister said he was tempted to inquire—

> "What instincts of barbarism they were that were now being principally stimulated and indulged in Ireland; who were the persons by whom these instincts were deliberately stimulated, with the effect of carrying rapine, murder, and mutilation into the homes and dwellings of the families of the innocent people in Ireland as a punishment for the offence of paying rent." [*Ibid.* cclxviii. 171-2.]

Such were the declarations that had come from the Treasury Bench. He held that if the statements of the Prime Minister and his Colleagues were true when they were made they must be true now. Either there existed no case for the arrest of the hon. Members who had been imprisoned and no justification for keeping them in prison after the periodical re-consideration of their cases by the Lord Lieutenant, or there must exist such justification still. On the 13th of April, according to the result of the review of the cases of the imprisoned Members, nothing had occurred to cause the release of the "suspects." Now, however, they were free. He would ask were they still "steeped to the lips in treason," were they still "the promoters of outrage," or had they given an assurance that when released they would not resume the practices for which they were imprisoned? Michael Davitt was to be released. Had he given an assurance that he would not resume the practices for which he had been thrown into gaol a second time? They had heard a good deal about the subterranean communication with Kilmainham. He could not at first understand whether there had or had not been such communication. He had difficulty some time ago in finding out another mysterious transaction—the Mission of Mr. Errington to Rome. He wondered whether the hon. and gallant Member for Clare (Mr. O'Shea) had gone to Kilmainham as an *agente raccommandato* on a confidential mission to the hon. Member for the City of Cork. It was very extraordinary how those moderate Home Rulers were being employed—one being sent to communicate with what the Prime Minister termed as "the social power of the Pope," and the other to confer with the social revolution in Ireland. On April 4, the Prime Minister said—

> "We have, in fact, for six months been engaged in—there is no mistake about it—a deadly conflict with an adverse power."

That adverse power was the Land League; and the Land League had beaten the Government, and the Prime Minister seemed to recognize in the hon. Member for the City of Cork the real Ruler of Ireland. Hitherto the policy of the Prime Minister had been to give sops to Ireland, while endeavouring to maintain their *status quo.* That policy had broken down, and the right hon. Gentleman had had recourse to the desperate remedy of handing over the government of Ireland to the Land League, a remedy based on the principle of "Heads I win, tails you lose." The Government hoped by that remedy to obtain a certain amount of tranquillity in Ireland. But if the remedy did not succeed they would retire, and leave the confusion in Ireland to be dealt with by someone else.

Mr. O'SHEA said, that, as his name had been mentioned several times during the debate, he desired to say a few words. Since he had had the honour of a seat in that House, he had had the advantage of making many friendships on both sides of it, and amongst every Party and every section, and, having the opportunity of correcting any misunderstanding as to opinions held here and there, he hoped he should not be regarded as too officious if he endeavoured to put matters right. He certainly took upon himself some time since to offer some suggestions to various persons, and he was glad to think that those suggestions had been kindly received and candidly considered. Now, it was most natural that a person wishing his information to be constantly and continuously correct, should occasionally refresh it at the fountain-head. It was, animated solely by such a desire, and uninspired by anybody whatever, that on Saturday last he visited his hon. Friend the Member for the City of Cork, in Kilmainham, and he could assure his hon. Friend who had just spoken, who was always seeking for deep plots and secret missions, that his return ticket was not paid for out of the Secret Service Fund.

MR. BRODRICK said, he hoped that before the debate proceeded much further they should have some reply from the Government to the questions addressed to them by the Leader of the Opposition, so that there might be some limitation to the debate and some vindication of the credit of the Government. Could they assure the House that the action they had taken had been taken on the authority and with the concurrence of those who had been employed specially to preserve peace and order in Ireland? The House had no information or knowledge of any guidance which the Government had received. The question for the House was, What view would be taken of the action of the Government, not merely by politicians, but by those whose co-operation with regard to the maintenance of order was loudly called for by the Prime Minister seven months ago, when he proposed to take action against the Land League? The right hon. Gentleman had been very careful to tell the House that the Coercion Act had not failed, and he had shown them how he thought that Act had helped the Government in a great crisis; but he was careful to limit the improvement of Ireland to the 1st of January last. What was the position at the present moment? The Government said they had acted on the views of men who were actors on the scene in Ireland. Had they consulted anybody else? The right hon. Gentleman had told them that they found they could go through the crisis in Ireland without a Coercion Act. Would it be in the power of any future Government under those circumstances to venture to propose a suspension of the Habeas Corpus Act? He believed it would be absolutely impossible for years to come for any Minister to come down to the House and propose a suspension of the Habeas Corpus Act. The Government had turned their faces from the Conservative Benches and looked for suggestions from Members below the Gangway. He wished to know what was to be done in regard to the settlement of the question of Arrears, as to which the Prime Minister had made declarations that could not fail in the meantime seriously to affect the payment of rent? Was that settlement, among so many other urgent matters, to be deferred until the question of the *clôture* had been decided? It was essentially necessary that whatever measures were taken should be taken without delay. If the time were allowed to pass without the adoption of efficient measures, and if the result were the renewal of outrages, a heavy burden of discredit would rest on Her Majesty's Government.

SIR WALTER B. BARTTELOT said, that, looking at the gravity of the occasion, he was surprised that the Prime Minister, or some one of his Colleagues, had not risen to answer the important questions that had been put to them. He ventured to say that never in the history of this generation had they been in the midst of a greater or graver crisis than at the present moment. There seemed to be a surprising apathy in the House at the condition of Ireland, which, he would venture to say, during the present century had never been in a worse condition. The Prime Minister had reversed the whole front of his proceedings; he had played into the hands of those whom he had denounced less than six months ago as the instigators of crime and disorder in Ireland; yet now, without telling the House that any change had taken place for the better in the condition of Ireland, he had restored those persons to liberty whom he had previously stated it was absolutely necessary, for the maintenance of peace and order, to retain in prison. He thought that the Prime Minister had treated the House with very scant courtesy in respect of the proceedings of Tuesday. Twice the right hon. Gentleman told the House that it was absolutely necessary that the Rules of Procedure should be proceeded with at 2 o'clock, showing that, in his opinion, that was of far more importance than the condition of Ireland, but stated that at 9 o'clock he would make a statement certainly not of wide importance. Without a word of warning, at the 2 o'clock Sitting, when the Wigan Writ had been disposed of, he made a statement of the utmost importance. When he came down to the House at 2 o'clock, at least he ought to have informed hon. Members of what he was going to do, so as to enable them to be in their places. He would tell the right hon. Gentleman frankly that a leader of men required to show some courtesy and consideration to those whom he addressed, and that if he exhibited those qualities a little more he would certainly lead the House better than he was able to do at the present time. The right hon. Gentleman had now not ventured to tell them that Ireland was in the prosperous, contented, and happy condition which he told the people of Mid Lothian that it was in.

MR. GLADSTONE: No; I never said that. I never spoke of the prosperity of Ireland at that time. I described the period since 1870 as one of great comparative contentment. I did not describe the prosperity of the period at all.

SIR WALTER B. BARTTELOT said, he always endeavoured to render the right hon. Gentleman's words correctly; but any mention of them in the House was always almost absolutely and entirely denied. He would read the words used by the right hon. Gentleman—

> "There is an absence of crime and outrage, with a general sense of comfort and satisfaction, such as has been unknown in the previous history of the country."

He appealed to every man of fair dealing and honour in that House whether in those words were not combined everything he had just stated, and which had been so absolutely and entirely denied by the Prime Minister?

MR. GLADSTONE: I rise to Order. The hon. and gallant Member most distinctly, and without any mistake as to his meaning, charges me with untruth in the denial of words which he says I have used; and I wish to know if he is in Order in so doing?

MR. SPEAKER: The hon. and gallant Baronet would not be in Order in imputing falsehood to any hon. Member; but I did not understand him to do so. The hon. and gallant Member must, however, accept the disavowal of the expression attributed to the Prime Minister.

SIR WALTER B. BARTTELOT said, that if the right hon. Gentleman could deny that the words he had read were made use of in a celebrated speech of his, then he would retract every word he had said.

MR. GLADSTONE: I have explained to the House on a former occasion that that was not a celebrated speech at all. [*A laugh.*] Again I thank the hon. Member for Londonderry (Mr. Lewis) for another of those repeated instances of courtesy he has shown me. I have previously stated that, in my opinion, that speech was not really a public speech. It was delivered in a small room to my Committee. The description I gave was a description of the general state of Ireland as it appeared to me. My belief is that there is a misstatement in the use of the word "is" for "has been;" otherwise I believe the report to be substantially correct.

SIR WALTER B. BARTTELOT said, that the speech was made in the Liberal Club in Edinburgh, and he challenged anyone to say that a statement that there was an absence of crime and outrage, and a general sense of comfort and satisfaction previously unknown in that country, did not amount to saying that Ireland was a prosperous and contented country. In the May following the right hon. Gentleman found Ireland not to be in that prosperous state, and it was his bounden duty either to have continued the much-despised Peace Preservation Act, or to have brought in some other measure. Instead of that, he did not attempt to deal with the subject till January, 1881. In the meantime he had allowed the Land League to have all its own way, without doing anything to repress outrage and crime. He was now going to revert to the system which, after trying, he had declared it impossible to get on with, and that Ireland could not be governed without the most stringent Coercion Act ever introduced. The Conservative Members sat up night after night to enable him to pass that Act, and they were now rewarded by a reversal of the policy which they had been told a short time ago was essential for the peace and prosperity of the country. As he had done before, he was now beating an ignominious retreat, and handing over to the Land League the welfare and control of Ireland. When the right hon. Gentleman, at the Lord Mayor's Dinner in 1881, used the words quoted by the hon. Member for Portsmouth (Sir H. Drummond Wolff), all the Liberal papers said—"Here is no pandering to rebellion. He is now determined that every means shall be taken to maintain law and order." What a change had a period of six months produced in the right hon. Gentleman's convictions! Was the state of Ireland now any better than it was then? The Returns showed that in the first three months of 1880 the outrages were 294, and in 1881, 769; but that in the same period of 1882 the crimes had risen to 1,417. Yet this was the time the right hon. Gentleman had chosen to change his front, and to let out of prison the very men whom he had charged with creating the present condition of things in Ireland. There was a remarkable speech made last night at Hertford by no less a person than the Secretary for the Colonies. In that speech Lord Kimberley said—

> "We cannot persevere in the policy of shuting up men without trial, and therefore we release a considerable number of them. Is the Government to blame? Is not their policy perfectly intelligible, perfectly consistent with all we have said and done? We come forward and say:—'Our measures have to a certain extent succeeded, but experience has shown we need stronger measures for the enforcement of order, and we shall ask Parliament to grant us those measures.'"

He put that portion down, because it was the only thing in that speech which was worthy of being taken down. He (Sir Walter B. Barttelot) asked the right hon. Gentleman, and he asked the Home Secretary, whom he saw smiling, when they were going to have those measures laid before them? If the House did its duty none of the Government measures, not even the Procedure Rules, would be allowed to be proceeded with until they knew the line of policy which was now about to be adopted with regard to Ireland. The late Secretary to the Lord Lieutenant—than whom no more honest and straightforward man had ever filled that post—had, amidst all his difficulties, borne himself in a manner deserving of the highest praise. He asked the Prime Minister whether, between the months of August, 1880, and January, 1881, the right hon. Gentleman had not come more than once to London and asked for further powers? There was a time when the troops and the police were used in Ireland with vigour and effect, when the law was maintained and disorder suppressed. That was not the case at present; and he should like to hear some explanation on that subject, particularly how far the right hon. Gentleman had been permitted to act. He should also like to know what were the instructions given to the police to guide them in the performance of their difficult and most delicate duties. Had the hon. Members for the City of Cork and Tipperary altered the purpose with which they had entered on this crusade—namely, that England and Ireland should be separated; that Ireland should have her own Parliament and manage her own affairs? If they had not altered that intention, he would ask had not the question been stimulated by the Prime Minister, who, in ambiguous language, had held out a hope that Home Rule would be given to Ireland? One thing more he wished to say—namely, that he had never heard from the lips of the right hon. Gentleman or of his Colleagues the slightest commiseration for those who had suffered so grievously throughout this trying crisis, and whose lives and property had been sacrificed to the desire of pacifying people who never would be contented with anything that could be given them. It was well that the country should look to what might happen, and would certainly happen, unless the right hon. Gentleman, with those stronger measures which he was to have at his back in case of emergency, acted with energy. The people of this country would never for a moment consent to the separation of Ireland from England; and the Minister who led up to civil war and to a re-conquest of Ireland would have his name written in the blackest pages of the history of his country.

SIR WILLIAM HARCOURT: Sir, I think it is only the energy and excitement under which my hon. and gallant Friend sometimes speaks that could induce him to bring so heavy a charge against Gentlemen sitting on this Bench as that they have felt no commiseration for the victims of outrage and disorder in Ireland. [*Cries of* "Expressed!"] Why, I have myself expressed it over and over again. I do not think that, in his calmer moments, the hon. and gallant Member for West Sussex would entertain such a charge; but, in the most energetic terms I can use consistently with self-respect, I repudiate such an accusation. My hon. and gallant Friend refers to my having smiled; but that was in relation to another charge he made, and which was equally unfounded—a charge that the Prime Minister had acted discourteously in making an important statement at an unexpected time. But what are the circumstances under which he charges us with an act of discourtesy? The right hon. Member for Bradford tendered his resignation. Lord Salisbury in the House of Lords had given Notice of a Question which made it absolutely necessary that a statement should be made; and it was out of courtesy and consideration for the House of Commons that the Prime Minister determined to make his statement as he did, thinking it not fitting that the matter of the release of the prisoners and the resignation of the Chief Secretary should be made to the House of Lords before it was communicated to the House of Commons. It is out of such materials that the charge of discourtesy is fabricated against the Government; and I cannot help smiling at a complaint which strikes me as so unreasonable. A much more serious imputation has been thrown out. We have been asked why have not the troops and the police been more used? And the hon. and gallant Member couples that with a well-deserved eulogium on the administration of Irish affairs by the late Chief Secretary. Who is it that does not use the police and the Constabulary to the satisfaction of the hon. and gallant Member? Why, the Irish Secretary. By his complaints the hon. and gallant Member casts the gravest imputations on the political capacity of the Chief Secretary, whom he just now eulogized. It is perfectly obvious that the course the right hon. Gentleman has taken shows that whenever a policy is pursued of which he disapproves he will no longer be responsible for it. The hon. and gallant Member has no right to say that the Government have in any way trammelled or restrained the late Chief Secretary in any course which he thought essential and expedient for the good government of the country. That is the observation I rose to reply to; but I will answer the question of the Leader of the Opposition and the hon. Member for West Surrey (Mr. Brodrick). They asked if we had consulted the Resident Magistrates? We have not. It is not a policy which depends at all on them. I can state in a single word the nature of the policy we have pursued, and, in my opinion, it is not inconsistent.

Mr. BRODRICK said, he asked the right hon. and learned Gentleman if the Government had consulted the Resident Magistrates, or any of those connected with the administration of law in Ireland?

Sir WILLIAM HARCOURT: Well, it is still less a question of law; it is a question of the highest policy. With respect to the imprisonment of the Members of Parliament, the Government are charged with the grave responsibility of determining whether the imprisonment of certain individuals was or was not essential to the maintenance of law and order in Ireland. They determined at a certain time that the imprisonment of those persons was necessary. How did they arrive at that conclusion? Simply by their own judgment. They had the discretion and the power, and they, taking a general view of the condition of things at the time, and the relation of those individuals to the circumstances of Ireland, came to the conclusion that it was necessary for the cause of law and order in Ireland that those individuals should be confined. They have now come to the conclusion that, having regard to the circumstances and to the relation of those persons to the condition of Ireland, it is more advantageous to the cause of peace and order that they should be released. Is not that a reasonable conclusion? The hon. and gallant Gentleman who has just sat down has stated it himself. He says—"I have no doubt that in the first instance there will be less outrage in Ireland, and more rent will be paid." What a confirmation is that of the opinion the Government has formed! They formed their opinion in the same way as they had formed it when they considered that it would be advantageous to law and order that those persons should be confined. It is certainly a matter of opinion. The late Chief Secretary had to do the same thing daily, certainly weekly. He detained certain persons in prison, and then, on a certain day, he had to form an opinion that it was either necessary or not necessary to keep them in prison any longer. It is now found to be conducive to law and order that the hon. Members should be discharged, and it is upon that principle that they have been discharged from prison. That course was adopted without any secret conditions. Hundreds of men have been discharged without any conditions. Why is not that principle to be applied to these men in the same way as it has been applied to others in the past? My right hon. Friend has formed the opinion in hundreds of previous cases that it was advantageous that certain persons should be discharged; but then arose a difference of opinion between the Government and the late Chief Secretary. The right hon. Gentleman thought it would not be advantageous to law and order to release these Members, whereas the Government thought it would. Is there, or is there not, ground for believing that the hon. Member for the City of Cork and the other persons who have been released will use their influence and exertions in favour of law and order, or against law and order? The whole question is in that single sentence. Upon the determination of that question depended the further question whether it was wise to release them or not. The Government were of opinion that these persons would use their influence and exertions in favour of law and order in Ireland now, and had, therefore, taken the responsibility of releasing them. Many persons will doubtless condemn the Government for so doing; but the Government, having formed their opinion, will abide by it. Their policy is based on fair and reasonable grounds, and there has been no real change of policy. My right hon. Friend has thought it right to release persons whom he considered it safe to release, and that is the policy of the Government now. We, upon our responsibility, have come to the conclusion that it is safe to release those Gentlemen, and we have the conviction that the effect of that release will be to conduce to the cause of law and order in Ireland, and will more tend to quietness than their continued imprisonment. That is a fair and candid statement of the grounds on which the Government has acted, and if they are wrong they deserve to be condemned. I do not know that I have anything more to say—[Mr. LEWIS: Hear, hear!]—I do not expect to be treated with courtesy by the hon. Member for Londonderry. No Member on this side of the House ever does receive that treatment from him which he might expect——

MR. LEWIS: I rise to Order. I wish to ask you, Mr. Speaker, whether it is not the right and freedom of every Member in this House to express his assent or dissent to another Member, provided it is not done in an obtrusive manner?

SIR WILLIAM HARCOURT: I cordially assent to that proposition. The only question is as to its application. I ought to have apologized to the House for taking any notice of the interruption.

MR. ONSLOW said, he was surprised that the Home Secretary had endeavoured to throw the whole blame of the non-success of the policy of the Government on the shoulders of the right hon. Member for Bradford (Mr. W. E. Forster). Whether that policy was right or wrong, the Members of the Government, individually and collectively, were responsible; and when that policy had been found to fail, it was unstatesmanlike to attempt to throw the responsibility on the Member of the Government who had had to carry it out. He did not for one moment contend that the Government, as a whole, were responsible for each individual arrest; but the mode of action employed by the Chief Secretary was the policy of the Government. If not, why did not the Government interfere with the mode of procedure taken by him? The Home Secretary said there was no change of policy; but that was a mere haggling with words. The new policy was diametrically opposed to the recent policy of the Government; their policy for many months had been coercion coupled with conciliation. He supposed the Coercion Act was no longer to be carried out, and the Land Act was to be amended—so that the two old methods were to be thrown to the winds. The Home Secretary had said the Government had acted on their own judgment, and had not taken the advice of the Resident Magistrates or of the Executive in Ireland. It was monstrous that the Government should take these steps without the mature advice of those who were able to give it. How was it possible for the hon. Member for Cork City to give the Government better information on the state of affairs in Ireland than their own responsible Officers—namely, the Lord Lieutenant and the Chief Secretary? But this new departure had been brought about by the demonstrations made by the Radical Jackal Press, which had been so long howling for the blood of the Chief Secretary. Those who deserted him in these circumstances did not deserve the name of a Government. It had been said they had been discharging "suspects" from time to time; but no one knew anything about or cared for the greater number of these "suspects." It was a very different thing releasing the Leaders of the Land League, whose policy at present guided the majority in Ireland. If there was anything in the argument of the Home Secretary, he could not see why the Leaders should not have been the first to have been released. It was said that they were now on the side of law and order; but when there was agitation it was the duty of the Executive to maintain law and order. As matters stood now, the Government devolved their primary duty on the hon. Member for Cork City. They confessed that it was impossible for them without his assistance to stop outrage and agrarian crime; and they, therefore, appealed to him to do what he could to save their reputation, and to help them to bring back law and order—*i.e.*, they were now appealing to one who had been the chief instigator of breaches of the law to restore peace. The Home Secretary said the Government had acted on the best information. The foundation for that appeared to be that there had been some kind of communication with the hon. Member for Cork City. In the face of the country and of Europe the Government was disgraced, because they had failed in their primary duty to protect loyal subjects. There was scarcely a Member on the Opposition Benches who did not agree with every word that had fallen from the right hon. Member for Bradford. One of the strongest supporters of the policy of the late Chief Secretary had been the Attorney General for Ireland. No one had used stronger language against the "suspects," and especially against the hon. Member for Cork City, than the hon. and learned Gentleman had done. He would say to his face that it appeared inconsistent with the duty he owed to the late Chief Secretary to take the loaves and fishes of Office and to continue to be a responsible Minister of the Crown. [Several hon. MEMBERS: He is not responsible.] He is responsible for the legal advice tendered to his official superiors. He maintained that the present Government had, at a time of the greatest difficulty, deserted their Colleague, not that the right hon. Gentleman had deserted the Government. The conduct of the right hon. Gentleman had been perfectly consistent from first to last. An advocate of the Coercion Bill, he had refused to truckle to the Land League, and, like an English statesman, had sacrificed his Office rather than his opinions. He only trusted, for the sake of the right hon. Gentleman's reputation, that he would never again find himself in the irksome fellowship of a Liberal Administration. The Prime Minister, on the other hand, and the Members of his Government had effected a complete change of front. No more than a week or two ago they steadily set their faces against any alteration of the Land Act, declaring that the peace of Ireland depended upon its having a fair trial; but now they themselves proposed to amend it, and with that object placed themselves at the mercy of the lately imprisoned Members, and implored them to save the Government. The noble Lord the Secretary of State for India had the other day asked why the Opposition did not challenge the Government policy; but they all knew on which side of the House the majority was to be found, and in the case of such a challenge as the noble Lord contemplated the majority would be swelled by those who had so recently been regarded as the enemies of law and order. He could assure the Government, however, that, whether their policy was right or wrong, the greatest desire of the Opposition was to see Ireland well governed by the responsible Advisers of the Crown.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that during the time he had been a Member of the House it had not been the practice to make personal attacks such as he had been subjected to to-night; and he thought it was not likely that in a House composed of Gentlemen from every part of the Kingdom that this example would be followed. The hon. Member for Portsmouth (Sir H. Drummond Wolff) had been pleased to attribute to the Attorney General for Ireland, because he had not resigned his Office together with the Chief Secretary, base and sordid motives. He (the Attorney General for Ireland) considered it sufficient to deny that aspersion absolutely and, he supposed it was unnecessary to say, indignantly. The hon. Member who had last addressed the House, in language which he supposed it would not be un-Parliamentary to characterize as coarse, had spoken of his preference for the loaves and fishes, but had not contrived to elicit a cheer from a single Member of the House. Now, he certainly had not thought fit to resign his Office; and in retaining it he had, he believed, the approval of the late Chief Secretary. For what, then, was he to be assailed? Since he had had the honour of a seat in that House, and of being connected with the Ministry, he had at all times done his duty. He appealed to the House whether he had ever shrunk from his duty? Was he likely, then, to shrink from it now? His undoubted duty now, he believed, was to stick to the ship, rather than to weaken and embarrass the action of the Government in the present crisis. The Government had embarked upon a policy which they were satisfied would secure peace, tranquillity, and happiness to Ireland; and he believed it was his duty to support that policy. He trusted that the faithworthy confidence reposed in hon. Members below the Gangway opposite would lead them to do their best to assist the Government in their endeavour to restore tranquillity and peace to their unhappy country, and to create good feeling amongst all those classes of the people who had been so long sundered and estranged.

MR. O'CONNOR POWER said, he was desirous of avoiding personal controversy, recrimination, and the imputation of motives. He thought the majority of the House would agree with him in thinking that they could not be justified in giving to so serious a subject a personal colour. He was bound to say, although he had opposed the policy of the Government, he did not recollect anything which the Attorney General for Ireland had uttered during the last two years that would justify him in suspecting for a moment that the right hon. and learned Gentleman's public action in the House had been dictated by motives of personal aggrandizement. As a general rule, no class of persons were more open to the reproach of personal motives than those who indulged in personal accusations. The hon. Member had complained that the Government had not consulted the magistrates and those who were responsible for the mechanical administration of the law in Ireland; but he failed to see the force of that criticism. It was the exclusive consultation of the police and magistrates of Ireland which had led the Government into so many deplorable mistakes. They had had revelations within a recent period of the kind of judicial advice which might have been expected from certain Irish magistrates on a question of this description. They had their Major Bonds and their Major Trails, and their Inspector Smiths, and various other gentlemen. He admitted that the question of the liberation of the three hon. Members was a matter intimately connected with the preservation of law and order; but he would not ask anybody, was the government of England carried on by the advice of the police and magistrates of England? He knew very well the Home Secretary was not in the habit of consulting the unpaid magistracy of England, or the sub-inspectors of police in England, when he had determined to recommend for the adoption of Her Majesty's Government some scheme of public policy. It had been insinuated by the late Chief Secretary for Ireland and by others that the liberation of the lately-imprisoned Members was nothing more or less than a buying of the Land League. Why, the Conservative Party, who were so loud in bringing this accusation against Her Majesty's Government, had themselves adopted the policy of buying the Land League. And for what purpose, if not to purchase the support of the Irish Parliamentary Party in that House? The hon. Member for Guildford (Mr. Onslow) praised the speech of the late Chief Secretary. Now, he must confess that he had himself some sympathy with a man who, occupying a high position among his own Party, felt that the time had come when he could no longer consistently maintain his connection with his Colleagues. But he was bound to say that there was not one strong point, not one telling argument, in that speech which the right hon. Gentleman had not, consciously or unconsciously, borrowed from his political opponents. He could not help thinking that every strong point was a Tory argument, and every weak explanation in his speech was the explanation of a man who, though, no doubt, actuated by the most honourable intentions, had a very mistaken view of the requirements of the Irish Administration at the present time. The Government had been accused of buying off lawlessness by concession. But that was only a reproduction of the argument used last year by the Opposition, when the House was told that if they passed the Land Bill they would be buying off the lawbreakers in Ireland. But the House was more concerned to know what would be the effect of the action of Her Majesty's Government upon the people of Ireland. Speaking on behalf of the constituency which he had the honour to represent, he had no hesitation in saying that Her Majesty's Government had not done a wiser act, or shown more true courage and true statesmanship for the last two years, than when they determined upon the liberation of the lately-imprisoned Members, and upon departing, as far as was in their power, from the hated policy of coercion. It had been frequently said during the last two years to Irish Representatives who had taken a line in reference to these matters somewhat like his own, that they did not sufficiently support Her Majesty's Government. Indeed, he was asked a short time ago why he had not gone to Ireland to uphold the cause of law and order, and the policy of Her Majesty's Government; and he had a very ready answer. It was this—that he had approved of one-half of their policy, the policy of remedial legislation, which he believed was calculated to do a great deal towards removing the grievances of the tenant farmers of Ireland; but that they knew very well that with equal energy he opposed their coercive legislation, and that if he went to Ireland he should have, while praising them with one voice, to condemn them with another; and the result of such an advocacy need not be described. But now he was in perfect unison with the policy of Her Majesty's Government, because they had made a declaration which he trusted nothing would happen in Ireland to prevent them from fulfilling—the declaration that they relied more upon the effects of remedial legislation than upon force to bring back contentment to the people of Ireland. The hon. Members who had that night again taken their seats in the House had justified the expectations formed of them when in clear and emphatic terms they repudiated the idea of making any conditions with the Government. It would have been impossible to induce any of those hon. Members to quit their prison upon such terms. At the same time, they had expressed the opinion that the remedial legislation which the Government contemplated must necessarily produce a good effect upon the feelings and dispositions of the people of Ireland. The changes consequent upon the resignation of the late Chief Secretary opened up another question—namely, why Irish affairs were not put into Irish hands? He did not see why he should hesitate to say now, as he always did, that there could be no end to the Irish difficulty until the Irish Administration, root and branch, local and central, general and national, had been placed substantially in Irish hands. From rumours which had reached him to-night, he was led to believe that Her Majesty's Govennment intended to try once more the experiment of administering Irish affairs by English brains and understanding. He hoped they would succeed; but he, nevertheless, adhered to his original conviction, that both Parties in the House must recognize that the only ultimate solution of the Irish difficulty was that state of mind on the part of England which recognized that Irish opinion must by law be made as potent in the government of Ireland as English opinion in the government of England. He freely admitted that, while recognizing this, it was not fair to expect any Government to make at once a change from the present system to the one which he had described; but when they were re-forming the Administration of Ireland they ought to try whether, in the ranks of Irish gentlemen, someone might not be found competent to undertake the government of his country. English Administrators had only too closely followed the spirit of the advice given by the hon. Member for Guildford (Mr. Onslow), that nothing should be done without consulting the Resident Magistrates and police; but he ventured to think that if an Irishman acquainted with his countrymen, who had resided for many years amongst the people, were installed in the government of Ireland, he would be 20 years ahead of an Englishman in Irish administration in ascertaining what was the drift of Irish opinion and determination, and he would exercise one of the highest faculties of a statesman in forseeing difficulties and in taking measures to meet them. Irish administration ought to be placed in Irish hands, no matter what Party was in power. He should be delighted, if the Conservatives were in power, to see either of the distinguished Members for Dublin University Chief Secretary for Ireland. It might be that they would not direct a policy in sympathy with his religious convictions; they might not altogether agree with his Celtic aspirations; but he and others could console themselves with the reflection that—

> "Our tyrants then
> Were still at least our countrymen."

He was not one of the number of Irishmen who thought that the time had come when an Irishman possessing the national sentiment, and the true stamp, and the true colour, could undertake to administer the affairs of Ireland. He believed a great deal remained to be done before it would be prudent—he did not say for the English Government to appoint an Irish Nationalist to Office, but for an Irishman to undertake so arduous a task. But, at all events, let them not indulge in personal recrimination. Let them try, if they could, to recognize in the recent act of Her Majesty's Government that they had incurred great responsibility, great risk, in doing a just, a noble, and a generous act. Her Majesty's Government had made a large and a noble sacrifice upon the altar of peace when they determined to no longer support their old Colleague and Champion and Friend, the right hon. Member for Bradford. He appealed to the Gentlemen of the Conservative Party, and asked them if they had no contribution to make to this problem except the contribution of angry criticism; and would they tell him that such a contribution was calculated to promote the peace of Ireland?

Mr. MITCHELL HENRY said, he felt great diffidence in rising to make a few observations after listening to the remarkable and instructive address which they had just heard from the hon. Member for Mayo (Mr. O'Connor Power). That address was full of wisdom and instruction, and he trusted that it would not be thrown away, either in its sentiment or in its recommendation, upon Her Majesty's Government. He did not rise either to attack the Government or to defend them. He rose to make a few remarks upon the act which had signalized the past few days. It was not for him, nor for any Member in that House representing Ireland, to defend the odious policy of coercion. The shame of that Act did not lie upon their shoulders, for Irish Members on both sides of the House had, with equal unanimity and equal earnestness, protested against that form of coercion which was involved in the suspension of the Habeas Corpus, believing that it would eventually bring confusion and disaster upon Ireland. The policy of allowing one man to apprehend his fellow-men, and to keep them in prison without an opportunity of justifying their conduct, led from one backward step to another, until, in a short time, they found nearly 600 of their countrymen locked up in Her Majesty's gaols in Ireland. Whose policy was that? It was not merely the policy of Her Majesty's Government—it was the policy of the House of Commons; and the House of Commons was the tribunal which was now to be vindicated if this Act was to be renewed. But those only who could be really vindicated in history were the Irish Members, who, from both sides of the House, protested against the Act from the very first. There was one remarkable thing which would happen from the reversal of this policy. They saw to-night the solution of that alliance which had existed for a time between the Conservative Party and the Irish Members opposite. He often told his hon. Friends opposite that that alliance was based upon a foundation which had something in it that would give cause for regret. That alliance was based upon a love and a desire for coercion so far as the Conservative Party were concerned; and upon the abandonment of that policy they saw the Conservative Party openly and ostentatiously renouncing their alliance with hon. Gentlemen opposite. They stated that the course pursued by Her Majesty's Government would tend to the ruin of the Empire; but they declined to formally arraign their conduct before Parliament, because, forsooth, their ranks would no longer be swelled by the Irish Members sitting opposite. He never knew an instance in which history had in a short time so completely vindicated itself as showing the hollowness and insincerity of the Conservative alliance.

[An Irish Member: There was no alliance.] He was not saying that the Irish Members made a formal alliance, but that the Conservative Party made an alliance with his hon. Friends opposite whenever they thought they could embarrass Her Majesty's Government. He knew well that when a crisis came such an alliance must come to an end, because it had no honest foundation. It had been alleged to-night that the release of the Members who had been confined in Kilmainham, and of the other "suspects" imprisoned in Ireland, was a triumph for the Land League. Such a statement was exceedingly absurd. The persons who most objected to the coercion policy were not Land Leaguers. Many Members who objected to coercion used language of the most condemnatory character with regard to the tactics of the Land League, and, therefore, to state that the abandonment of the policy of coercion was a triumph of the Land League was to state what would not bear a moment's examination. He would not have troubled the House at all if he did not desire very earnestly to point out to the Government that, although one great step had been taken for the pacification of Ireland, everything would depend upon the rapidity with which the remedial measures procured by the Prime Minister were introduced and passed. Almost everything that had been done in the way of remedial legislation had been branded upon its forehead with the words "Too late." At that moment there were many anxious hearts in Ireland waiting to know how soon they should be able to return to their humble homes. There were thousands of persons in Ireland on that very night trembling on the verge of eviction; and those persons felt, to an extent which, perhaps, Members of that House never felt, how hope deferred made the heart grow sick. He entreated Her Majesty's Government to bring in their promised measures with expedition. They were entitled to believe that those measures would meet with no opposition from either side of the House. At all events, it was quite certain that they would not meet that opposition which had been so formidable on other occasions—the opposition of the Irish Members. On the contrary, the Bill which was introduced the other day, and which had obtained the approval of the Prime Minister, would, he was quite sure, receive the support of everyone who had the good of the country at heart. The following telegram, which he received yesterday from the remote part of Ireland in which he lived, would show the imminence of eviction in that part:—

> "Relieving officer got notice to-day of over 30 families — about 180 individuals — to be evicted immediately for arrears. The victims are absolutely unable to pay. Press for suspension of evictions pending a settlement of the arrears of rent."

The only reply he could make to that telegram was to say that he depended upon the sincerity and good faith of the Prime Minister, and upon the determination of the Government that evictions should cease. He knew they had pledged themselves to deal with the question of arrears, and he entreated the people to rely fully on that pledge. That was the telegram which he sent in reply. But suppose week after week passed away, and these poor people were turned out upon the hillside; suppose they saw their little growing crops, upon which they relied to feed their families, taken from them, and their humble houses made desolate, what would happen in that part of the country? Nobody had spoken more strongly than Irish Members against the horrible outrages which had been committed in Ireland, and he hoped nobody would think he would for a moment justify them. But he must say that, looking at his own family and at his own children, if he thought they were about to be turned out upon the hillside—the mother, the children, the young and the old—without any fault of their own, but in consequence of the non-growth of the crops in bad seasons, bitterness of feeling might rise in his mind. [Mr. T. D. Sullivan: And if they had no money?] He was glad to think that his hon. Friend believed it was only those who were without money that suffered eviction; but many had suffered eviction who had money. He spoke of those who suffered eviction because they had no money; and he confessed that he did not know what amount of restraint he would require, though he possessed the advantages of education, to prevent him from nourishing a sentiment of revenge, which might even lead him to commit a breach of the law. He believed nothing had happened in Great Britain so horrible as that which had taken place in Ireland during the rage of evictions. They were fully described in English newspapers, but seemed to create far less impression than disasters in far distant lands. If the arrears were dealt with at once, he believed eviction would stop and a reign of peace would set in in Ireland. Everything else was secondary. In other respects he hoped the question would not be dealt with piecemeal. There was purchase by the tenants; and he trusted also that the Government would see their way to taking leases in hand. Could not all sections of Irish Representatives combined join to help the Government to frame a comprehensive measure which should, once for all, settle the question? Let them put their heads together, and make an honest effort, in a spirit of wisdom and conciliation, to perfect the Land Act; and let it not be said that, with the experience of the past two years before them, the Government of the day and the House of Lords required to be taught a still sterner lesson of wisdom before they dealt effectually and thoroughly with the tenure of land in Ireland.

MR. A. J. BALFOUR said, that some hon. Members seemed to derive satisfaction from the belief that historic justice had been done by the breach of the alliance between the Conservative and Home Rule Parties. No doubt, the Home Rule Party had changed their line of action. But he could not admit that there had been any dissolution of that alliance, because the alliance had never existed. It was perfectly true that on several occasions Gentlemen from Ireland had been united with the Conservatives in a common hostility to the Government. But there never was between the two Parties that sort of alliance which appeared now to exist between the Home Rule Party and the Government — namely, a harmony of policy. The Home Rule Party might, on isolated occasions, have voted with the Conservatives; but there had never been any union between them of designs and aims. The Attorney General for Ireland, in a personal explanation, had made severe reflections upon his hon. Friend the Member for Portsmouth (Sir H. Drummond Wolff), who, he said, had charged him with having remained in the Government from sordid motives.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, the hon. Member for Portsmouth had used language which, if it meant anything, meant that he had remained in Office from sordid motives.

SIR H. DRUMMOND WOLFF begged to disclaim any such meaning. What he had said was that he thought the right hon. and learned Gentleman ought to have left Office with the right hon. Member for Bradford (Mr. W. E. Forster), and he thought so still. He had not imputed sordid motives to the right hon. and learned Gentleman.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he was glad to accept the hon. Gentleman's explanation, and withdrew the portion of his speech which referred to that subject.

MR. A. J. BALFOUR wished that the Prime Minister had been in the House when the Attorney General made his explanation, because the right hon. and learned Gentleman had hinted to the House why he remained in the Government. It appeared to the right hon. and learned Gentleman that it was the nobler course to remain in the Government even though he dissented from its policy.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that was an unfair representation. What he had said was that he thought it his duty to stick to the ship in the policy which would pacify Ireland.

MR. A. J. BALFOUR begged to apologize. But when anybody said that he would stick to the ship he generally meant to imply that the ship was sinking. But he was of opinion that the right hon. and learned Gentleman was not at all more to be blamed in that matter than the rest of the Government. This was not a time when it was possible to make a general review of the new Irish policy. The House had only heard the negative parts of that policy, and was in the dark as to what was to be done in the future. But whatever might be the final judgment of the House one thing was clear. In the first place, if the new policy was right the old policy was wrong; and, secondly, if it was right, the Government had initiated it at a most inopportune moment. If the old policy was wrong, the Conservative Party had a just cause of complaint. Coercion and imprisonment were as repugnant to them as to any Party in that House, notwithstanding the taunts that were levelled at them, and they had accepted the Coercion Acts simply because the Government came down, and, on their responsibility, told the House that the Acts were necessary for the preservation of order in Ireland. The whole responsibility, therefore, lay with the Government, and it was an undivided responsibility. The only inference that could be drawn from the course adopted by the Government with regard to the Irish Question was that the Party represented by the hon. Gentleman behind him, which had been responsible in the main for the failure of law and order, had gained a great victory. That inference was inevitable, because it had been constantly asserted that outrages in Ireland were continued for the purpose of compelling the Government to make concessions to that Party. It was impossible for anyone in Ireland to refrain from drawing the conclusion that the releases were ordered in consequence of the outrages. Did the Government suppose that in future the people of Ireland would refrain from committing outrages, which they knew by experience was capable of profoundly modifying the whole policy of this country? When did the Government realize the opinion which the hon. Gentleman behind him entertained? He understood that the hon. Member for the City of Cork (Mr. Parnell) had asserted that he had been released because the Government had discovered by some method, not yet explained, that the proposals of the hon. Member, with regard to arrears and certain other things of an analogous character, were not unreasonable. He wished to know whether that was the case. He gathered from the discussion that there had been some communication between the Prime Minister and the hon. Member for the City of Cork, as to which his notions were rendered more cloudy by the explanation of the hon. and gallant Member for Clare (Mr. O'Shea), who appeared to have gone to Kilmainham on his own responsibility, to have communicated with the hon. Member on his own responsibility, and to have communicated the result to the Prime Minister. If the Government had now discovered that the opinions which they entertained six months ago as to the proposals of the hon. Member for the City of Cork were erroneous, if the hon. Member was now released because the Government have discovered that he advocated a policy which, in fact, he had always advocated, the conclusion was that they had unjustly detained the hon. Member in prison for six months. He did not see how the Government were to escape from that. It appeared that all along these Gentlemen had been imprisoned under a mistake; that the Government had always agreed with them, but that, unfortunately, there had been some misunderstanding, which had only just been cleared up. They were an unhappy couple who had long quarrelled, but were now happily united under the auspices and with the blessings of the hon. and gallant Member for Clare. The Prime Minister took great credit to himself for not having insisted on a promise from the hon. Member for the City of Cork that he would do nothing to disturb order. The delicacy of the Prime Minister appeared to him singularly ill-placed. The right hon. Gentleman had no hesitation in announcing last year, in a crowded and enthusiastic meeting in London, that a warrant had been issued for the arrest of the hon. Member for the City of Cork, as an enemy of law and order, and as an incitor to outrage. It was strange now to hear the right hon. Gentleman say that he would not for a moment think of asking the hon. Member for a pledge that he would not break the law of the land. Either the hon. Member for the City of Cork had some right to complain of the course which the right hon. Gentleman had taken seven months ago, or the country had some right to complain of the course the Government were taking now. The Government had announced, in indignant language, that they only intended that the Conservative Members should criticize their conduct if they brought forward accusations against them in the shape of a Vote of Censure. No one knew better than the right hon. Gentleman that a Vote of Censure never could represent the impartial judgment of the House on a question of policy. The question that was determined on such a Vote was whether the present Government should be kept in Office or not. It was not a judgment upon the policy of the Government; it was a Vote of General Confidence in them. If the right hon. Gentleman really wanted an impartial judgment, let him encourage a Motion which would challenge the whole policy of the Government, and which would not be in the shape of a Vote of Censure. He did not think the result of such a Vote would altogether harmonize with their wishes. The Government had announced their firm determination not to allow the House to know, much less to discuss, their policy about Ireland, until they had passed all the Procedure Resolutions. Until that was done Members were to consent to have their mouths shut about the Government policy as to Ireland. Now, considering the length of time those Resolutions had already taken—and he had no ground for doubting that the discussions on them would continue in the future as they had in the past—nothing could be more obvious than that the discussion of the Government policy on Irish affairs was postponed to an indefinite date. Was it tolerable that murder and outrage should be used as a lever to compel the House to pass measures pleasing to the Government? The Coercion Act existed nominally; but, to all practical intents, it was abrogated. The Irish Executive, which had found a Coercion Act insufficient to preserve order, were reduced to the Common Law, and the Government gave us no hint when this state of things was to end. The course which the Government proposed to take with regard to Ireland was contrary to public policy and usage; and the Opposition would be justified in using every means in their power to prevent the Government doing anything whatever until they had given the House some explanation of the policy they meant to pursue in Ireland.

MR. CARTWRIGHT said, he did not endorse the views of the hon. Gentleman who had just sat down as to obstructing the Government. But he thought there was some force in the appeal he had made as to the Government giving some explanation of their policy with regard to Ireland. He did not think that the issue had been fairly put before them that night. It was not simply an issue between a policy of coercion and a policy of non-coercion; but between the present policy of coercion and the policy which was to be pursued after the expiration of the existing Coercion Act. Last year he voted for coercion in deference to Her Majesty's Ministers, who recommended it on their authority and experience. It had been foreshadowed by the Government that on the expiring of the Coercion Act Ireland would be dealt with by some further legislation; and he thought it only fair to those who had voted for their policy of coercion that the Government should put them in possession of the outline of the substance of the policy they proposed to adopt. The right hon. Gentleman the Prime Minister had hinted at a measure for strengthening the ordinary powers of the law in Ireland; and it would certainly do much to strengthen the confidence of those who desired to support the Ministry to put them in possession of the policy which they proposed to pursue. The gravity of the situation in Ireland was evident from the speech of the right hon. Gentleman the late Chief Secretary; and it was only right and fair that the Government should take their followers into their confidence, and make known to them the main features of a Bill which they must have considered before they arrived at the grave determination they had done.

MR. CHAPLIN observed that many grave questions had been raised by the statement of the late Chief Secretary; and he desired to express the admiration which, in common with everyone else, he felt for the manly, fearless, and straightforward statement he had made, and which, if there were room for it, would increase the respect universally felt for him by Members on all sides of the House. Speeches had been made by some Members of the Government; and, as far as he could gather their meaning, he did not think they had done much to strengthen their position. The Secretary of State for the Home Department, when asked if the Government had consulted the magistrates and other authorities in Ireland, replied—"No; we have done this entirely upon our own judgment." When he heard that statement he could not help remembering that that was what the Government had done before, when they first came into Office two years ago. They acted on their own judgment, in spite of advice and warning from the magistrates and other authorities; and when he remembered the disastrous consequences and the miserable state of things that had resulted from acting on their own judgment at that time, he was not much encouraged in his hopes of the future of Ireland when they were informed that the Government had not consulted those in Ireland who ought to know best the state of the country, but had acted solely on their own judgment. It must be obvious to all who heard the speech of the Prime Minister that the Government had been influenced in this grave decision mainly by two considerations. One was the Bill and the statement of the hon. Member for New Ross (Mr. Redmond), and the other was some information which the Government had received, but which, up to the present time, they had not thought fitting to disclose to the House. The Prime Minister said he attached much importance to the statement of the hon. Member for New Ross; but that hon. Gentleman concluded the speech in question by an observation to the effect that nothing could ever be satisfactory to Ireland but the concession of Home Rule. Was it to be inferred from the importance attached to the speech of the hon. Member that this new concession was to be made to the extreme Party in Ireland? If not, it was the duty of the Government to say so without delay. It was this certain information which was conveyed by the uninspired visitor to Kilmainham, and in an equally uninspired manner to Downing Street, that was the key of their policy. The Home Secretary put this question to the House —"Was there, or was there not, reasonable ground for the belief that the Gentlemen just released would in future be on the side of law and order in Ireland?" That depended entirely upon the information supplied to the Government; and the House and the country were entitled to full details as to what that information was, so far as the House could judge—from the only information at its disposal. From the public speeches of the hon. Member for the City of Cork (Mr. Parnell) there was not the slightest ground for believing that he would be on the side of law and order, because he had said that he would never rest until he had brought about the separation of England and Ireland. ["No, no!" *and* an hon. MEMBER: Home Rule!] His words might have been "until he had secured Home Rule for Ireland." He believed that he was correct in saying that the establishment of an Irish Parliament was one of the objects which the hon. Member had specified. The course now taken by the Government was merely a repetition of the old policy of concession upon concession which commenced in 1870, and which had failed, and failed disastrously, from that time to the present. From the point of view of hon. Gentlemen behind him, no doubt it had succeeded; and he did not hesitate to say that the hon. Member for the City of Cork stood in the most triumphant position that he ever remembered to have been occupied by any Member of that House. The hon. Member for Hertford (Mr. A. J. Balfour) was justified in using any legitimate pressure to induce the Government to lay before the country a full statement of its intended policy. Even if, as the Prime Minister said, it was absolutely necessary to complete the Resolutions on Procedure, the Government could lay the Bills they would propose forthwith upon the Table. Let the right hon. Gentleman make a full statement of his policy. The country were likely to form a wrong impression of the right hon. Gentleman. They would say—"We have placed this powerful Minister in Office, and yet, in spite of all his power, this Minister is making the Queen's Government ridiculous—in spite of all his professions he is nothing but the tool of the agitation he has so long denounced, the dupe, the plaything, and the puppet of the Land League." He should be sorry if any such opinion were entertained of the right hon. Gentleman; and therefore he once more appealed to him to lay before the House the policy he intended to pursue with regard to the future of Ireland.

MR. O'DONNELL said, he was not surprised at the considerable amount of discontent expressed by Members of the Conservative Party at the turn which events had taken in Ireland, for it had been the Tory policy which had been followed in Ireland for the last two years. Many remarkable events had been discussed that evening; but there was one which he thought had not been sufficiently dwelt upon. He referred to the withdrawal of the Motion of the late First Lord of the Admiralty, by which he had held out to the Home Rule Party the inducements which he hoped would place the Tory Party in Office. There was, however, one thing which could not be withdrawn, which was the Report of the Lords' Committee, which, at any rate, told them that honourable people besides Liberals could review their decisions, and advance most forcibly the platform of the Land League. In spite of the emphatic disclaimers on both sides, he was afraid that an attempt would be made to represent what had taken place that evening as something in the nature of a bargain. As one suspected of Conservative leanings, he ventured to appeal with some feelings of part fellowship, and to mix in the appeal words of warning that the little game would totally fail if any indiscreet partizans of theirs should misrepresent the real gravity or the real honesty of the consummation reached that evening. There was no bargain on the part of the released Members. The House would recollect that when coercion was proposed last year he warned Liberals of the mistake they were making in being misled by the magistrates and Irish permanent officials, and the advice which they were sedulously pouring into the ears of the late Chief Secretary. The Irish Party occupied the same platform as they did previous to the arrests; and the only difference was that the Liberal Party had come to understand the views of the Irish Members as to the necessity of dealing with the arrears of rent, and as to the necessity of largely amending certain portions of the Land Act. Why did the Government not believe them upon these points seven months ago? It was because Tory influences predominated over the Liberal policy. The events of the week were a great triumph for the hon. Member for the City of Cork (Mr. Parnell); but if, as he believed, the promises and engagements made on behalf of the Liberal Party were as sincere as he trusted they were, the Liberal Party and the Premier had gained a greater triumph, inasmuch as they had not feared to do right even at the cost of much apparent inconsistency. At last the fact had been brought home that the coercion policy in Ireland was a mistake. The Prime Minister would betray, in the gravest manner, the interests of his Sovereign, whilst acting dishonourably to himself, if he delayed for a single moment that different system which he thought ought to be applied. If the Government acted zealously and straightforwardly in the spirit of their personal declarations, they would have the honest, but none the less independent, support of every Liberal from Ireland; and he appealed to the hon. Gentleman the Member for Galway (Mr. Mitchell Henry) to urge upon the Government rapidity in the introduction of remedial legislation. He had heard appeals to the Government from hon. Members on the other side of the House to lay on the Table a measure to diminish the severity of the Criminal Law. There were thousands of families threatened with ruin through eviction, and their defenders and sympathizers were the persons who recruited the ranks of insurrection. The degree and extent of amendment of the Criminal Law must depend upon the amount of crime with which they had to deal and the probability of the extension of crime. If the Government would first do their best to remove the evils the Irish tenantry were suffering from eviction at the hands of landlords who had no mercy, then such measures of repression as might be found necessary would deserve a fair hearing; but all who loved Ireland should resist the introduction of measures of further coercion unaccompanied by remedial legislation. If the Government brought in without delay a measure dealing with arrears, and also facilitating the purchase of holdings by the tenants, there would be such a miserable residuum of outrage to deal with that it would be unnecessary to introduce an exceptional measure of coercion. While the Liberal Party and the Irish Party were endeavouring to bring back peace and contentment to Ireland, the only contribution offered towards this end by the Conservative Party had that evening been withdrawn by the late First Lord of the Admiralty. He warned the Conservatives that they would not be backed up by the country in a policy of mere nagging and twitting the Government with its inconsistencies. He trusted there would be no disposition in any section of the Liberal Party to form a little head and centre of opposition to remedial legislation for Ireland. If there were any disposition on their part to mar the good relations which now seemed to predominate in the ranks of the Liberal Party, he warned them that they would fail to achieve anything but their own discomfiture. The step which had been taken in Ireland was irrevocable, and all their future policy must be built up on the basis of that irrevocable fact. Therefore, he appealed to every man of statesmanlike instinct and honest heart to accept the advance of the Irish National Party. Their desire was to erect on broad bases the edifice of Irish national prosperity, and also to form a lasting chain of good-will, friendship, and affection with the people of England. But, whether they had to deal with ill-will or good-will, what had been done could not be undone; and, therefore, he asked all hon. Members to recognize the fact that the Irish situation could only be dealt with on the basis of justice to the tenants, on the basis of a statesmanlike and generous treatment of the question of arrears, and of the amendment of the Land Act; and in the near future the question must be faced of conferring the government of Ireland on the responsible leaders of the Irish people. He did not venture to use anything that might seem minatory in his language to Her Majesty's Government. He was prepared to accept the engagements they had made; but he hoped they would be rapid in the application of their remedies. If they proceeded fearlessly and unhesitatingly in the good path upon which they had entered, he was certain that long before this time next year the troubled condition of Ireland would be only a memory of the past; and that the vast majority of English and Irish Representatives would be able to transact together the Business which was required for the welfare both of England and of Ireland.

Mr. GIVAN congratulated the Government on the course they had so magnanimously taken in releasing the three hon. Members. He could not understand the course adopted by the Conservative Party on this occasion. The Londonderry Election was a recent event; and he recollected that during the contest the hon. Member for the City of Londonderry (Mr. Lewis), who sneered so much at the Prime Minister during his speech to-night, gave his support to a candidate who stated that coercion was a policy which would not be resorted to by the Conservative Party, and that the Land Act did not go far enough. He (Mr. Givan), as one who never believed in the policy of coercion, and who had opposed the Coercion Act from its introduction, stood up now to say that the course which Her Majesty's Government had adopted was the only course likely, at the present time, to restore peace to his distracted country. The true remedy for the present condition of Ireland was an amendment of the Land Act. He believed that no man ever desired to discharge his duty more conscientiously and generously than the late Chief Secretary; but he could not conceal the fact that he believed the right hon. Gentleman was often influenced, when Chief Secretary, by the police system and the Castle officialism which were so detrimental to government in Ireland. They all knew the business qualifications of the noble Lord who had been appointed Chief Secretary; and he hoped the noble Lord's first act would be to divest himself of those humiliating Castle influences. The fate of Ireland was at that moment trembling in the balance. He believed that the new departure was a departure in the right direction; and he hoped it would be followed by some legislation to assist the tenants in their difficulties with arrears; to extend the Purchase Clauses, so as to enable the tenants to purchase, which they would not do under the provisions of the Land Act; and to extend the benefits of that Act to leaseholders. Then he believed peace would be restored to Ireland, and that the new coercive or protection measures, which hon. Members were so anxious to have adopted at once, would be found to be of a very mild kind indeed. The hon. Member, in conclusion, again expressed his satisfaction at the course taken by the Government in releasing the "suspects," and also releasing Mr. Michael Davitt.

Mr. GIBSON: When on Tuesday the Prime Minister made his statement to the House I think everyone followed it with the deepest interest; and I think it must have been present to the mind of that great statesman himself that each word that he uttered developed and increased to an acute degree the interest of the House. It was obvious that a great and serious decision had been arrived at, and equally obvious that that grave and momentous decision was made known to the House casually, suddenly, without Notice, and without any sign which could indicate that it had received the deliberation which its importance required. No reasons were offered, and no explanations were tendered. I do not intend, in connection with a great question like this, to indulge in mere personal charges. The matter is far too important for that. But I think it is to be regretted that on an occasion of such gravity the Prime Minister should not have thought it his duty to make a statement of a more complete character. When that regret was very temperately indicated by my right hon. Friend near me (Sir Stafford Northcote), we were met in a way that was simply unworthy. We were told—"We give you no grounds; but if you are dissatisfied, say so, and we will vote you down." That was hardly the way to deal with a fair, reasonable, and thoroughly justifiable question on an occasion so important. I think, also, that it was hardly necessary for a statesman holding the high position of the Prime Minister to say that it was no new policy which was being introduced, and that it was in harmony with the old lines. Such expressions as those are simply nonsense. When the Government cannot get their Lord Lieutenant to stay in Office, and cannot induce their Chief Secretary to be responsible for their actions, surely it is rather idle to say that they are proceeding in harmony with their preceding conduct. We have more knowledge tonight; but I am not sure that the increase of knowledge which we have received will lead to an increase of confidence. Speaking for myself, I am bound to say that a discussion more calculated to intensify the interest and increase the anxiety of the country has never been heard in Parliament. The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), as I must now call him, speaking with the greatest moderation, and with all the weight of a great character and a long political life, made use of words which, if they do not bring conviction to men's minds, must surely cause every man in this House, who is not heedless or thoughtless, to reflect gravely on the state of affairs. When I heard the speech of the right hon. Gentleman, and when I heard the three alternative propositions which he submitted to his Colleagues, with whom he had obviously desired to remain—when he formulated those three propositions, by the acceptance of any one of which he would have been induced to remain in the Cabinet—my feeling was one of immense astonishment that, in a crisis so grave, the Ministry could not see their way to the acceptance of any one of them. It looked as if the Government, *coûte que coûte*, were determined to embark with their eyes shut on a new policy, which might lead they knew not where, and for which they had no reason to offer either to their Colleague or to the country. The main proposal made by the right hon. Gentleman the Member for Bradford was that the present Coercion Act might well be allowed to come to an end; but that the period that would elapse before its expiration should be utilized in the enactment of other provisions which would so strengthen the general law of the country as to enable the change to take place safely and reasonably. That is a suggestion so temperate and fair that it is inexplicable to me that it was not considered worthy of acceptance by the Government. Now, I ask on what information has the Government proceeded? That is a question to which we ought to have an answer. It was not upon the information of the Lord Lieutenant, for he had given notice to quit. It was not on the information of the late Chief Secretary; it was, in fact, in opposition to his opinion. His successor, whose appointment I do not criticize, knows necessarily nothing about the subject. If, then, the Prime Minister is unable to vouch his late Lord Lieutenant; if he has acted against the advice of his Chief Secretary; if he is unable to say that his Law Officers agree with him; if he is unable to state that the Lord Chancellor of Ireland gives his sanction to this change; if he is unable to cite a single report or suggestion in support of his action from anyone who has the means of obtaining the necessary knowledge, am I not entitled to demand upon what information have the Government proceeded in making this momentous change? I think it is to be regretted that in the speech of the Prime Minister on Tuesday he did not make himself understood more completely. He protested, I now think, a little too much in saying that there was no negotiation, or contract, or anything of the kind. I will not say there was a contract or a covenant—to use the right hon. Gentleman's words—but if there was not an understanding I am at a loss to know what is the meaning of an understanding. The right hon. Gentleman knew that the hon. and gallant Member for Clare (Mr. O'Shea) was going to Kilmainham with the knowledge of the views and intentions of the Government. [Mr. GLADSTONE: No.] Perhaps I may be allowed to state my own proposition. I will take the words of the right hon. Gentleman, and then I must demand leave to draw my own inference. I must, for the purposes of argument, draw inferences from the words which will be before the country to-morrow in the three forms in which the Prime Minister gave them; because I notice that there is a most extraordinary development in the frankness of the right hon. Gentleman. In the first place, he stated—

> "The information which led us to the conviction to which we recently gave effect."

Nothing can be more interesting or bald than that. Then the right hon. Gentleman proceeds to the second development and says—

> "Then we were forced to the rational conviction"

—the previous one was not characterized—

> "That the three Gentlemen in Kilmainham would find themselves in a condition to place themselves on the side of law, order, and individual freedom."

Now, Sir, there we have a further development. The right hon. Gentleman, if I may be permitted to say so, was, I think, hardly as happy as usual in his speech to-night, because having made that second statement, there appeared a third branch of the Upas tree. This further development threw further light on the question. The right hon. Gentleman says—

> "They had information that, were the Government suggestions of Wednesday as to arrears carried out, these Members would be willing to act as I have stated."

MR. GLADSTONE: I did not say that.

MR. GIBSON: The meaning is as clear as crystal. I took down the words which I have read; and it appears that the information was conveyed by the hon. and gallant Emissary from this House to Kilmainham that the Government undertook the settlement of the arrears question on the basis of gift and compulsion.

MR. GLADSTONE: Nothing of the kind. [*Cheers, counter-cheers, and cries of* "Withdraw!" *from the Ministerial Benches.*]

MR. GIBSON: I have said nothing personally offensive. I am dealing with statements which appeared to me to culminate in the particular statement to which I have referred. Of course, I am in the wrong. But now let us see the real meaning of this transaction. The Government have, by an emissary, recognized that they were willing to settle the arrears question on the basis of gift and compulsion.

MR. GLADSTONE: Nothing of the sort.

MR. GIBSON: And, on the other hand, the hon. Gentlemen in Kilmainham seem to have conveyed—or it was understood, or hoped, that they conveyed—in a manner, that they thought that if some such thing were done there would be a better chance of law and order. The meaning of all this is that the hon. Member for the City of Cork and his Colleagues—I will not say made a contract, for everybody knows that was not precisely the case—made it to be understood that if the proposals indicated were adopted it would lead to the lessening of outrage and to the smoothing of the course of law and order. I have now put my meaning on this transaction. It has already obviously landed the Government in a series of misunderstandings. All I can say is that if the hon. Members lately in Kilmainham are able to put a clearer meaning on the matter than I have given they are a great deal cleverer than me. As far as I can gather, the lucidity and clearness of the Prime Minister's statement is such that we are unable to assign to it any more definite meaning. I venture to think that this action of the Government, which has led to this series of understandings or misunderstandings, bears a strong similarity to an arrangement which binds the Government and leaves the other parties free. I should like to know whether the right hon. Gentleman the late Chief Secretary for Ireland was cognizant of the proceedings. I should say, probably he was not. But, in any event, the Government seem throughout the whole business to have preferred acting on the casual and uncertain belief expressed by the hon. Member for the

City of Cork as to what might happen if something were done in the matter of the Arrears Clauses rather than on the deliberate opinion of their own Colleague, the then Chief Secretary for Ireland. Now, Sir, everyone in the House must be glad that the Government can see their way to the release of any people subjected to the great irksomeness of such confinement. I am sure there is not a single man in the country that would not be pleased to see every person in confinement released if the Government, on their own responsibility, and for sufficient reasons, could feel that it might be safely done. There is no difference of opinion as to that. I can only say, notwithstanding the unworthy and petty charges made to-night —I have never made such imputations —that the Conservatives hate coercion as everyone else does. But the way the Government have acted in this measure—the methods they have pursued —have been such as to excite the gravest alarm, the maximum of anxiety, and to lead us to believe, who have listened to every word and watched every step of the transaction closely, that the Government have no policy, no purpose, and no courage. If the Protection Act was necessary last year; if it was necessary to confine three Members of Parliament during the *clôture* debate; if the right hon. Gentleman now says, as he said on Tuesday, that up to the very moment they changed their minds they were right, I should like to know when and where did it become wrong to proceed on their previous methods? The right hon. Gentleman, whom I will not quote at length, on the 18th of August last year, in a discussion on the administration of the Coercion Acts, introduced by the hon. Member for the City of Cork, used these remarkable and clear words—

> "Our course is clear; we must under no circumstances compromise the peace of the country. . . . . . We must do our best to confront danger, and to compress it, and we must make no terms of accommodation with those who defy or endeavour to frustrate the law."—[3 *Hansard*, cclxv. 297-8.]

Sir, that is an interesting sentence, read by the light of subsequent events; and though I would be the last in the world to suggest any moral inconsistency in these words, it is obvious that it requires acuteness not to see that the present persons and the occasion hardly fit in. Sir, I have listened with attention to everything that has been said. The right hon. Gentleman's speeches, I am bound to say, have been characterized by a want of amplitude and detail that is almost unique in the right hon. Gentleman's oratory. He has certainly not given any lavish statement of the causes which have led to this change, and he has given no statement of his reasons. The past administration of the Government must have been either right or wrong. If wrong, they must been blundering foolishly and wickedly for months. If right, did it become by a miracle wrong in a night? The right hon. Gentleman alleged three reasons. I do not want, in the slightest degree, to distort any words that he has said. He gave three reasons. He called them reasons. He said that it would be conducive to the interests of law and order, and of the security of property. But that is a perversion of language. They are not reasons. They only amount to a prophecy. And, bearing in mind what the right hon. Gentleman the Member for Bradford has said, one can hardly feel any great confidence in this particular prophecy of Her Majesty's Government, and there is nothing in their past career of prophets to make us accept their statement with absolute faith. Taking that as their reason, have the Government stated, or suggested, how long this reason has been in operation? Do they expect what?—a short lull, or more than a short lull?—it may be they will get it. [Sir WILLIAM HARCOURT: Hear, hear!] The Home Secretary is easily pleased. Well, I have to remind the right hon. Gentleman that he has a chance of a short lull. But what is the certain price to be paid for it? What are the weighty words of the right hon. Gentleman the Member for Bradford? Why, that the transaction is likely to lead to the weakening of the respect for law, and to the enfeebling of its power. The Home Secretary said, using a grand word, of this transaction that it was an effort of the highest policy. It may be attended by immense and stupendous results. In that sense he may call it the highest policy. But when the right hon. and learned Gentleman went on to say, not thinking, I imagine, at the moment what was the effect of his words—if I may presume to say so—that it was done with a knowledge of the circumstances, and having regard to the relation of the persons released to the real state of the country. I ask him what circumstances? We have been told none. They have no apology to give us—not a name, or a report, or a suggestion. I ask again, what circumstances have you stated? You are unable to suggest one solitary circumstance or fact, except this—that you have determined, for some inscrutable reason of your own, to throw over your Chief Secretary, for what reason you have not stated to the House. It appears to me that the Government have suddenly turned over a new leaf, and that that new leaf is to be the first page of the chapter of accidents. It appears to me that they went one side for a time and then went to the other, and the only analogy I can find for the Government policy is the modest and humble one of a ferry-boat. Were we not entitled to a clear statement of their principles, and to a clear statement of their guarantees for the peace of the country? As far as I can see, the Government proceeded on a sudden inspiration that it would be wrong to keep the "suspects" in prison without trial. That might be a reason for organizing some mode of trial; but not for letting them out and postponing their trial *sine die.* Can you draw any distinction at all between the Gentlemen who have been released and the remainder of the prisoners? If the reason for their release was that you cannot keep them in prison without trial, are you not bound to release the rest? I do not see, in the face of what the right hon. Gentleman has said, how any logical distinction can be drawn. The Prime Minister spoke of "the demands of necessity with regard to future legal provisions for securing peace and tranquillity;" the noble Marquess (the Marquess of Hartington) went further, and said the existing law was not sufficient "to afford the police all the power they ought to possess for the suppression of crime." In the face of these admissions, I ask what is the reason for the delay in stating to the House these measures, and to an early indication of them? The Government, in postponing that statement, lays itself open to the charge of making a promise to the loyal, and postponing its realization to satisfy the disloyal. There are measures which have been referred to as of extreme importance; the question of arrears has been described as one of the utmost moment, as well as the Bright Clauses of the Act. Surely the sooner some proposals are made the better. The Government may take either of two courses; they may say—"We cannot at present pass these measures;" but they should not say—"We will postpone a statement, or even indication of their provisions." At all events, I am entitled to assert this—that if they do so they will weaken the Administration, and paralyze the arm of authority in maintaining the law. But I ask the House whether, in speaking of these matters, the Prime Minister has ever said one word of sympathy to the loyal classes in Ireland, who have been placed in circumstances of such extreme difficulty, and who are struggling, some of them, to protect their lives, and all of them to protect their properties? The question of the day is—How are you going to rule Ireland at the present moment? The Government have laid down their arms, while they tell us, at the same time, that, at some indefinite period, we may have to manufacture new ones. I ask, how are outrages to be lessened? No answer. How is impunity for crime to be diminished? We are not told. How is the Queen's Government to be carried on? God only knows. Is terrorism lessening? The Prime Minister does not even suggest that. [Mr. GLADSTONE here pointed to Mr. W. E. FORSTER.] I am dealing with the Prime Minister now; and it is a strange commentary upon these proceedings that I should be referred to the late Chief Secretary. The Prime Minister himself does not venture to suggest that he rests his case upon a diminution of crime. The right hon. Gentleman said, on April 4 of this year—

> "There is, I am afraid, on the whole, an aggravation in some degree in the character of the outrages committed . . . . The gravest subject is the absence of evidence that the outrages in Ireland are not associated with some influence behind them higher than that which belongs to those who commit the outrages."—[3 *Hansard*, cclxviii. 694-5.]

Has the right hon. Gentleman invoked the assistance of that "superior influence?" Sir, what is the character of this criminal agitation? It is disloyal to the backbone, and seeks for a separation between the two countries, and struggles to secure a disruption of this Empire. [" No, no!" *from the Irish Members.*] There is no disguise upon this question. The right hon. Gentleman has made frequent concessions, and each concession is made the starting-point of a new one. I am thoroughly familiar with this question, and I know some of the writings of Mr. Devoy and Mr. Davitt — men of courage — who plainly express their views. I know what the hon. Member for the City of Cork—a man of power of speech and clearness as well as of courage of expression—said at Cincinnati on February 23, 1880. His words were—

> "When we have undermined English misgovernment, we have paved the way for Ireland to take her place among the nations of the earth. And let us not forget that that is the ultimate goal at which all we Irishmen aim. None of us—whether we be in America or in Ireland, or wherever we may be—will be satisfied until we have destroyed the last link which keeps Ireland bound to England."

The Lord Chancellor of Ireland, my right hon. and learnèd Friend (Mr. Law), in the course of his masterly statement at the State Trials in Dublin, indicated that the farmer in all that movement was but a cat's-paw in the hands of the agitators. The Home Secretary, in his powerful speeches last year on the Arms Act, demonstrated that this movement was Fenianism in a slightly varied form; and your new Lord Lieutenant, whom you have sent to govern Ireland in some new method, has pointed out in the House of Lords the intimate connection of this movement with rebellion and sedition. But the Lord Chancellor of Ireland, the Home Secretary, and even the new Lord Lieutenant of Ireland, fade into insignificance as compared with the greatest authority of all, that of the right hon. Gentleman opposite. The words of the right hon. Gentleman, used at Knowsley on the 27th of October last, were most remarkable. Speaking of the agitation he said—

> "They wished to march through rapine to disintegration and dismemberment of the Empire; and, I am sorry to say, even to the placing of different parts of the Empire in direct hostility one with another."

These are grave words. The authorities that I have referred to have stated their opinions in a way as clear as crystal, showing that you are dealing with a disloyal agitation which cannot be satisfied, which regards every concession only as an instalment; and that is the agitation which you have dealt with as you are dealing! And what is the crumb of comfort that the right hon. Gentleman says he has got from the speech of the hon. Member for New Ross (Mr. Redmond) the other day—able, lucid, and moderate in its tone? The closing words of that speech were a strong indication that the speaker and the Party for whom he spoke would not be satisfied without a separation. [" No!" *from Irish Members.*] The hon. Member's words were that, if that Bill passed into law—the whole Bill and nothing but the Bill—it would do something towards bringing about that millenium "when Irish laws would be made by Irishmen on Irish soil." Moreover, at this moment, there are warrants in existence for detaining men in custody for treasonable practices. I read in *The Times* that two arrests were made yesterday in the county of Cork for treason-felony. This indicates that the conspiracy is as strongly disloyal now as at any time during the last few years. It is worthy of note, in regard to the Papers distributed yesterday morning, that the main strength and power of this agitation is not in Ireland at all. It draws its main force from a Press in America—[" No!"]—from agents in America, and it is fostered and supported by gold from America. And, as I have said before, I say again, that I believe that if the Government of the day, assuming that they had courage, had only to deal with the disaffection of Irishmen in Ireland, unhelped from America, they would find it, if not a small matter, at all events one that could be more readily dealt with. This is a political movement, that acts by the social discontent which it stimulates, and governs by the outrages which it sanctions. Am I not entitled to ask how do the Government propose to suggest to the country that they are coping with this disloyal movement by their new departure? Any man of intelligence must see—I do not now speak of the release of the "suspects"—it is the indication of the Government policy, their mode and method of action, the way in which they have dealt with the right hon. Gentleman (Mr. W. E. Forster), and other matters—that they have strengthened the cause of disloyalty and weakened the cause of loyalty. The Government say—"Our action hitherto has been a blunder, therefore we shall have no action in future; our present position is nearly hopeless, therefore we shall trust everything in future to a hope; all our prophecies in the past have been falsified, therefore we shall try one more on the chance of its proving true; we have tried in vain to work upon the fears of the lawless and disloyal, now we shall try the chance of appealing to their pity and their forbearance." The Government deny that this is a new departure. I admit that it is not a new departure, because a new departure would require courage, resolution, and nerve. It is merely a development of an old departure—of feeble concession, of weakness, and of vacillation. But the right hon. Gentleman, if he remains in power, will some time or other arrive at a period when there is nothing to concede. Church funds will not last for ever; there is a limit even to the property of Irish landlords; even the most prolific parent will at some time or other arrive at a period when he has no children to throw to the wolves. You must come to the end of this hand-to-mouth policy; and at last you will have, sooner or later, to face the question of the disintegration of the Empire. You are now, as far as I can see, without clearly considering what you are doing, deserting outworks, and trenches, and parallels. You thought you had bought a peace with part of the property of the landlords by your Land Act, and you have found that it was not a peace. Now, you think, by new concessions, and by more "becks and wreathed smiles," that you will win a truce. Be it so; you have not got your peace, and you may not get your truce; but, sooner or later, whoever is responsible for the government of Ireland will have to face the alternative of cowardice or courage. One of the gravest questions connected with this piteous policy of the Government is its effect in Ireland. Surely it is already known there that the Government intend, by a novel process, to encourage an Executive to suffer intentionally from creeping paralysis. The law in Ireland, God knows, is not strong enough for the constant tricks that are being played with it, nor is the Executive so potent that it can lightly run the risk of exposing itself to the charge of impotency. What has been done has been done, and you have only to read the Press of Ireland to realize its effects. A discouragement which cannot be recalled has been the source of immense and painful anxiety to the loyal classes; but through evil and good report they have adhered to the cause of law and order, ever true to their motto—"Faithful, though not favoured." That class have never used the language of fear or cowardice, and they do not mean to use it in this crisis, trying as it is; but they appeal with confidence, as they are entitled, to the sense of freedom, justice, and courage in this great nation. Ministers have chosen in this transaction to play the pious but humble part of waiters upon Providence. The speech of the Prime Minister, exceptionally cautious, indicates no policy; but it clearly conveyed that he was ready to consider and reconsider everything, in the heaven above, in the earth beneath, or the water under the earth. The country is absolutely sick of uncertain promises and qualified refusals. This uncertainty of language feeds the criminal agitation that is sucking out the life-blood of the nation. There is, fortunately, thank God, in Ireland what the Government cannot take away at present—much material prosperity; there is a very considerable loyal class; and, besides that, all the great classes who have anything to lose are ready to support the Government in putting down terrorism—a circumstance entitled, at all events, to the consideration, if not the sympathy, of Parliament. They wish to support the Government; but no class, no matter how loyal—no class, no matter how much their material prosperity may depend upon it, can support the Government unless the Government give them something to support. Is the time come—will the time ever come—that the Government will take their stand upon anything? Say, if you like, what you will give while you have the power; but you are bound equally at once to make up your mind and boldly state what you will never grant in any conceivable circumstances. I do not think it is fair and legitimate to be always suggesting that you may give, that you will give, that you possibly will not give at present, that you may give hereafter. If by strong words and resolute action the Government conveyed to the Irish people that they could govern and would be obeyed—they have never yet tried that simple expedient—they would make a real advance to the maintenance of that law and order which are the first conditions of civilization, and the surest and strongest guarantees of freedom. I have never taken, and never shall take, gloomy views, or utter Cassandra expectations in reference to my country. I believe in the future of Ireland; but it is impossible, no matter how sanguine a man may be, not to regard that future with painful solicitude, when the First Minister of the Crown proclaims in his place in Parliament that he governs by fitful changes, by startling surprises; that his system is without method, and his policy is without stability. Ireland needs to be ruled with justice and with power; but I reluctantly say that the conduct of the Government has forced upon me the conviction that they have failed to impress the Irish people with the steadfastness of their justice or the invincibility of their power.

The Marquess of HARTINGTON: Notwithstanding the powerful and somewhat exciting invective embodied in the peroration of the speech of the right hon. and learned Gentleman (Mr. Gibson)—a peroration which, as far as I can judge, lasted three-quarters of an hour—I shall, in the few remarks I have to make, maintain a tone of perfect calmness. It is the more easy to me to do this, because it appears to me that the right hon. and learned Gentleman's invective has been fully counterbalanced by the impotence of his conclusions. What was the result of his impeachment—for it was nothing if it was not an impeachment—of the conduct of the Government and of my right hon. Friend (Mr. Gladstone)? Why, Sir, the Motion of the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) has been abandoned.

Mr. W. H. SMITH: Postponed.

The Marquess of HARTINGTON: Abandoned, I thought.

Mr. W. H. SMITH: No; postponed.

The Marquess of HARTINGTON: Then postponed *sine die*.

Mr. W. H. SMITH: Postponed in the hope that the Government will produce their plan.

The Marquess of HARTINGTON: It has been postponed *sine die*, for no day has been fixed for it, and the Opposition still decline to formulate anything in a manner in which the House can take cognizance of the charges they bring against Her Majesty's Government. I am not going to depart from the position I took up the other day on this point. It is all very well for hon. Gentlemen to say that if we bring forward our scheme they will bring forward theirs; what I want to know is whether, besides abusing the policy of the Government in vague terms, they are prepared to condemn our action and to bring forward a scheme in a form in which they and their supporters are prepared to vote for it? We see no indication of any such intention; and, therefore, as long as the Opposition refrain from taking what, under the circumstances, I apprehend to be the legitimate and Constitutional course, I shall venture to continue to believe that they are actuated more by a desire to damage the Government in a Party point of view than by any sincere intention to benefit Ireland. I must congratulate the right hon. and learned Gentleman (Mr. Gibson) on the unwonted freedom he has acquired to-night. I congratulate him on having, if I may use so vulgar an expression, the muzzle taken off. The right hon. and learned Gentleman told us he would put no gloss on the conduct of the Home Rule Members, and he certainly proceeded to describe it without any gloss, but in sufficiently vigorous language; but it was not the language held in regard to the Home Rule Members by the Leaders of the Party of the right hon. and learned Gentleman, so long as, what I suppose I must call, a fortuitous conjunction existed between them and the Party of Home Rule, and there was a union for the purpose of opposition between the Members of the right hon. and learned Gentleman's Party and the Home Rule Party. I feel tolerably certain that no course we could possibly have taken, either in respect of the release of the prisoners or in any other branch of the Irish Question, would have defended the Government from their reproaches. It has been my fate to watch closely the course of the Opposition during the present Session, during the Recess, and during part of last Session, and I cannot say that I have ever seen, at any time, any symptom on the part of the Leaders of the Opposition, or of their followers, of an intention to support the Government in their Irish policy, no matter what that policy might be. ["Oh, oh!"] Why, Sir, I have heard the Land Act persistently assailed, not only while it was being discussed in the House, but since it has been passed; and I am at a loss to know how the Opposition could support the policy of the Government, and help in the pacification of Ireland, if the law of the land is persistently and bitterly assailed by those who have accepted it. And although it suits hon. Gentlemen now to be extremely complimentary to my right hon. Friend the Member for Bradford (Mr. W. E. Forster), and to hold him up as a model of all that an Irish administrator ought to be, according to my recollection, it was precious little support my right hon. Friend received from them as long as he sat on this Bench. [Mr. R. N. Fowler: No, no!] The hon. Alderman says "No, no;" but I shall retain my opinion, and, in the way of effective support, I say it was precious little he could get from hon. Gentlemen opposite; and as for the arrest of the prisoners under the Coercion Act, I cannot say that even that policy—a change of which now causes such acute indignation to hon. Members—was often very cordially supported by hon. Members opposite. We have heard many bitter attacks made on the Government, and founded on the condition of Ireland; and the complaint which invariably accompanied every one of these descriptions of the present state of Ireland is that we have kept so many hundreds of men in prison, without any form of trial. That is the way in which the administration of the Coercion Act, up to the present time, has been received by hon. and right hon. Gentlemen opposite. It appears to me that the right hon. and learned Gentleman who has just sat down and his Colleagues have been inclined to make the mistake which, I admit, all Oppositions are sometimes liable or apt to make — namely, that of somewhat too indiscriminate censure of their opponents. If we are so very wrong as we are now represented to be in having released a certain number of political prisoners, it strikes me as almost impossible that we can have been so very wrong, as we were often told we were, in keeping them in prison. The right hon. and learned Gentleman tells us it is simply nonsense to say that there has been no change in our policy; and he has practically endorsed the assertion of the hon. Member for Hertford (Mr. A. J. Balfour) that the Coercion Acts are dead, and that we have abandoned all of our power and responsibility under them. Well, simple nonsense or not, I absolutely deny that assertion. The Coercion Acts are in existence, and our responsibility to Parliament for the due execution of those Acts remains now exactly what it was when those Acts were passed. I am not disposed now to enter into any lengthened defence of what has been done; but I hope still that the time may come when our policy will be formally challenged. If I were to attempt to put into a very few words my statement of the course we have pursued, it would be something to this effect—My right hon. Friend the Member for Bradford (Mr. W. E. Forster) arrested, with the assent and entire concurrence of the Government, the hon. Member for the City of Cork (Mr. Parnell) and certain other Members of this House and others, because we believed that they were the active leaders in an organization, the object of which was to intimidate persons in the discharge of their duties and in the exercise of their rights. We believed that the organization of which those hon. Members were the leaders was one so formidable that we could not be responsible for the peace of the country and the execution of the law if we did not, at that time, exercise in their regard the arbitrary powers conferred on us by the Coercion Act. Well, Sir, we therefore exercised those powers which Parliament had intrusted to us. I may call my right hon. Friend the Member for Bradford (Mr. W. E. Forster) to witness that we believed that, to a great extent, the action which we thus took has been successful, and that the organized resistance to the law, the organized refusal to pay rents, and the organized attempt to dictate what the amount of those rents should be, has, to a great extent, failed, owing to the action we took under the Coercion Act. We are asked, why do we think now that we are able to release the leaders of this agitation? It is because we have reasonable grounds for believing, as we had reasonable grounds for believing in October the reverse, that those hon. Members and leaders will not now, or, if they wished, that they cannot, act in a manner to obstruct the execution of the law. The right hon. and learned Gentleman has asked us on whose information we have acted? I think he rather said on whose advice we have acted? We have acted on the information supplied to us by the Lord Lieutenant and by my right hon. Friend the Member for Bradford, and we have drawn our own conclusions from it. [*Laughter, and cries of* "Oh!"] I observe that some hon. Gentlemen appear to be immensely amused. They also have fallen into the same mistake and misapprehension as that which it appears the right hon. and learned Member fell into. If I asserted that we had acted on the advice of the Lord Lieutenant and of my right hon. Friend the late Chief Secretary I could understand their amusement. Certainly, we have not acted upon their advice; but we have acted upon the information and the facts supplied to us by the Lord Lieutenant, and we drew conclusions which my right hon. Friend was unable to share. Well, the right hon. and learned Gentleman ventures to add that an understanding exists which is extremely likely to lead to a misunderstanding. I do not apprehend that there is any danger of a misunderstanding, because, as far as my knowledge extends, there is no understanding whatever. We are bound by the declarations we have made in this House, and we are bound by no other undertaking whatever; and the hon. Member for the City of Cork (Mr. Parnell), and the other Members who have been in prison, are bound by the statement made by the hon. Member for the City of Cork in this House to-night, and by no other undertaking whatever. There the matter rests, and I do not see where there is room for misunderstanding. We have reason to believe, and certainly nothing that has fallen from the hon. Members of the Irish Party to-night has led us to draw a different conclusion, that the conduct of the hon. Member for the City of Cork and his Friends will not at present be hostile to the administration of the law or the peace of the country, but will rather tend in the opposite direction. If we are mistaken in that impression, no doubt we have incurred a very great responsibility. We have never asserted, and we do not now assert, that the hon. Member is bound by an understanding to us. We have acted upon the knowledge we have acquired, in the House and out of the House, of the intention and disposition of the hon. Members who were lately in prison; and having acquired that information, acting for ourselves, it would not have been impolitic, but we should not have been justified in keeping them longer in prison under the Coercion Act. Hon. Members speak as if there has been some question about extending an amnesty for political offences. There is nothing of the sort. The hon. Member for the City of Cork and his Colleagues have been convicted of no offence. We were only intrusted by Parliament with the power of keeping them in prison on reasonable suspicion of being concerned in certain offences so long as we thought that it was imperatively required for the vindication of the law. That was the question we had to ask ourselves when the arrests were ordered. That is the question, day by day and week by week, we have had to ask ourselves since that time; and when the moment arrived when we could no longer say that their continued detention was required for the safety of the country, at that moment we were not absolutely only justified, but absolutely compelled, to agree to their release. My hon. Friend the Member for Oxfordshire (Mr. Cartwright), and the hon. Member for Mid Lincolnshire (Mr. Chaplin), have appealed to the Government to place them quickly in possession of the intentions of the Government as to the measures required for the strengthening of the law. I can perfectly well understand that hon. Members opposite should desire that we should immediately, even if we do not bring in a Bill, proceed to explain our intentions. They think anything better than that we should be allowed to proceed with the proposals as to the Procedure of the House. My hon. Friend the Member for Oxfordshire (Mr. Cartwright), in making this appeal, has distinctly asserted, at the same time, that he entirely shares the opinion of the Government as to the paramount importance of making progress with the Rules. I put it to him, with his experience of this House, whether it is in accordance with practice or convenience, or the despatch of Public Business, that we should throw down to the House for irregular discussion proposals which we intend to embody in the form of a Bill. These measures are in active preparation at the present time. I believe that the course we have announced—of taking Procedure first—will be most convenient and most expedient. It is all very well to ignore and decry the importance of these proposals. I have no doubt whatever in my own mind, looking at the question even from an Irish point of view, that it is one not second to any question connected with Ireland. I believe that one of the chief causes—indeed, the chief cause—of the disparagement of authority in Ireland has been the disparagement of the authority of this House. This House has, during a long period of years, absorbed into itself a great part of the power, functions, and responsibility of the Executive Government of this country. It has, in my opinion, absorbed into it almost greater powers than can be discharged by any Legislative Assembly; but, certainly, when the people of Ireland see this House reduced by the action of a few of its Members to a position of almost complete impotence and helplessness, we cannot be surprised to find that the Executive power should also feel the effect and see its power diminished. I believe that one of the first requirements for the re-establishment of law, order, and authority in Ireland is, that this House should proceed to place itself in a condition to discharge the duties devolving upon it. I believe it owes that duty not only to England and Scotland, but it owes it equally to Ireland; and I consider it is incumbent upon the Government to press forward, without delay, the Procedure Rules. In the meantime, Sir, as I have said, it is absolutely idle to say that the Coercion Act is dead. Exceptional powers have been taken. Those powers exist as long as the present Government or any Government remains in Office. The Government is bound to make use of them when the necessity arises, and until the period for which these powers have been granted expires no Government can divest itself of the responsibility which is placed upon it. Under these circumstances, I trust the House will not consider it necessary to prolong this protracted discussion, unless, indeed, hon. Members opposite take heart of grace, and nerve themselves to bring to the test of a formal Motion the charges they have so freely made against the Government.

Mr. GORST said, he did not rise for the purpose of making a speech at that hour of the night; but he wished to make one observation upon the speech which had just been delivered by the noble Marquess the Secretary of State for India. The noble Marquess seemed to be extremely solicitous that hon. Members on the Opposition side of the House should formulate some Vote which should criticize the conduct of Her Majesty's Government. But before that was done there was a little preliminary to be gone through, which the Government did not seem to be particularly anxious to perform, and that was that the Government should inform the House exactly what it was that they had done. He had listened attentively to the debate, and particularly to the declaration of the First Lord of the Treasury; and at present he was entirely unable to understand upon what particular information it was that the Government decided to release the three hon. Members from Kilmainham. Let the House consider the remarkable revelations which had been made in the course of the evening. The hon. and gallant Member for Clare (Mr. O'Shea), without communication with the Government, and acting entirely on his own motion, went last Saturday to Ireland with a return ticket, which he stated was not purchased out of the Secret Service money. It was not very strange that the hon. and gallant Member should have gone there; but when he reached Dublin he had a hasty interview with the hon. Member for the City of Cork (Mr. Parnell), in Kilmainham; and what did he do next? Why, he rushed back immediately to London. Surely that was a somewhat extraordinary thing to do, if the hon. and gallant Member had no mission to fulfil. The most remarkable thing of all, and of which no explanation whatever had yet been vouchsafed to the House, was, that when the hon. and gallant Member arrived in London he found, by a remarkable coincidence, a Cabinet Council sitting; and, somehow or other, the information he had obtained from the hon. Member for the City of Cork in Kilmainham on the Sunday was, by some mysterious process, communicated to the Cabinet Council, sitting in Downing Street on the Monday. The House had a right to be informed, and ought to be informed, what that information was; because, when the Prime Minister first made his statement to the House that evening, he based the release of the "suspects" by the Government on the information they had received, and what the House had not yet heard, and what everybody who had listened to the debate was bewildered about, was, what that information was. It was said that no promise had been given by the hon. Member for the City of Cork, and that there was no promise from either of the other two hon. Members who had been released from Kilmainham Gaol. Then he was unable to understand how the release had been brought about; and before the House was asked to censure the conduct of the Government they ought to be informed what the information received by the Government actually was. He thought when the noble Marquess the Secretary of State for India and his Colleagues had made up their minds, and had the courage to reveal to the House what this information was, then would be the time to invite a Vote of Censure upon the Government. But while Her Majesty's Ministers chose to shroud themselves in mystery, and to refuse all information to the House, and only to give information in a few enigmatical sentences that were immediately contradicted by the Irish Members—["No, no!"]—they must expect the House to be discontented. Hon. Members opposite challenged his assertion. Now, he did not think any single statement made by the Prime Minister had not been immediately and flatly contradicted. It was a remarkable thing that when the hon. and gallant Member for Clare (Mr. O'Shea) rose in his place for the purpose of making an explanation of his share in the matter his information stopped short precisely at the point at which it began to be interesting. The hon. and gallant Member told the House all about his journey to Ireland and all about his railway ticket; but he said nothing about the information he conveyed to the captives or to the Government on his return. Indeed, the hon. and gallant Member had not even stated that he saw the hon. Member for the City of Cork; and, therefore, the House was totally unable to judge what the importance of the information given to the Government was. He did not think the Conservative Party would be very speedy to propose a Vote of Want of Confidence in the Government for what they had done until they were fully informed as to the ground on which the Government had acted. But the noble Marquess went a step further than this, and challenged a censure of the Government policy. That action, however, would seem to be rather premature. The noble Marquess was, in his opinion, too eager for a Vote of Censure on the policy of the Government to be moved on that side of the House, for before he could expect that course to be taken by hon. Members he ought to go through the formality of informing them what was the policy of the Government. The right hon. Gentleman the Prime Minister had been asked, over and over again during the last month, what he was going to do to preserve law and order in Ireland; and, notwithstanding that he had not ventured to deny the truth of the language used by the Lord Chief Justice of Ireland, that the state of the country was a "disgrace to our civilization," no indication of his intentions had been forthcoming. If the Government did not condescend to state the details of their proposals, which hon. Members did not ask for, they might, at any rate, follow the example of the right hon. Member for Bradford (Mr. W. E. Forster), who had stated in a few sentences the outline of the measures which he advocated—namely, for securing the speedy punishment of offences he was in favour of replacing trial by jury, and of levying compensation for injury and loss of life upon the district in which the offences were committed. Would the right hon. Gentleman state to the House the nature of the measure he was about to propose? The Government could not say that the measure was one upon which they had not yet made up their minds, because the noble Marquess had stated that it was already in course of active preparation, and, therefore, they must know the nature of the measure. Why, then, did they not state their proposals to the House? It was because they knew that the very moment they revealed the nature of the measure the temporary truce with their present Irish allies would terminate; the peace which they had patched up by the concessions they had made would not endure for half-an-hour after they made the Irish Members acquainted with the measures they had in preparation. He would not detain the House longer than to observe that when the Government condescended to inform them what it was they had done—when they stated the policy they were going to pursue in Ireland, it would then be high time for the noble Marquess to challenge hon. Members on that side of the House to move a Vote of Censure; but until they had done so, he thought it would be more seemly on the part of the noble Marquess to withhold his taunts.

Mr. NEWDEGATE said, that he had never put so great a strain upon his conscience as when he voted for the Statute for the Protection of Person and Property in Ireland. In that case he voted for investing the Government with the power of issuing *lettres de câchet.* He confessed to hon. Members for Ireland that he regarded that arbitrary Act as a most unconstitutional measure, that could only be justified by the extremity of the case; but he had trusted that, while that Act was administered by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), from his knowledge of the right hon. Gentleman's character and his attachment to Constitutional principles, he would, before the termination of that most disgraceful Act, introduce some measure that would grant the Irish people the justice of a trial. The right hon. Gentleman's statement that night showed that he was right in so trusting to him; but that he was wrong in trusting such powers to Her Majesty's other Ministers. He was perfectly certain, from the statement, so highly honourable on his part, which the right hon. Gentleman the Member for Bradford had made that night, that the right hon. Gentleman had been labouring against difficulties, not from without, not created by the Land League or by the rebellion in Ireland; but that he had been labouring against a want of due support from his Colleagues in the Ministry. And this was proved by the fact that the right hon. Gentleman's career had terminated by a final refusal to restore Constitutional government and trial in Ireland. After this, he (Mr. Newdegate) hoped that no one would venture to taunt himself or any other Constitutional Conservative with not having afforded due support to Her Majesty's Ministers in their difficulties; for, if Members on his side of the House felt as he felt as to the character of the so-called Protection of Person and Property Act, the result for it must make them ashamed of having vested such powers in the hands of the Government, who had proved that such confidence was misplaced. He did not wish to detain the House, but he could not refrain from uttering these few words; and he would only add this. The right hon. Gentleman the Prime Minister had urged the House to proceed with the *clôture*, when by this extraordinary policy of concession he had restored to the House the hon. Member for the City of Cork (Mr. Parnell), who was the originator of disorderly Obstruction in the House. [*Cries of* "Order!" *from the Home Rule Benches.*] He repeated that it had been proved before the Committee of 1878. The hon. Member for the City of Cork was the originator of Obstructive disturbance in that House. [*Renewed cries of* "Order!"] It was proved before the Select Committee which sat in 1878, and it was useless for anyone to deny it. Well, the right hon. Gentleman having restored to the House the man who was the promoter of disorder, which he had declared the incapacity of the House to deal with, unless additional Rules for preserving Order of Debate were adopted, what was the measure which the right hon. Gentleman urged upon the House? Why, the *clôture*, to which, only two years ago, he himself objected, on the ground that it would not punish the authors of disorder, but punish and incapacitate the House itself. And then the noble Marquess the Secretary of State for India had the hardihood to taunt the Conservative Party with not being anxious to proceed with a measure which the Prime Minister himself, only two years since, declared would add to the incapacity of the House, which had originated in the disorderly conduct and the rebellious action of the hon. Member for the City of Cork, whom he had now liberated from prison.

Mr. T. D. SULLIVAN appealed to the Chair whether the hon. Gentleman the Member for North Warwickshire (Mr. Newdegate) was in Order in speaking of an hon. Member of the House as rebellious?

MR. SPEAKER ruled that the words used by the hon. Member for North Warwickshire were not Parliamentary.

MR. NEWDEGATE admitted that, perhaps, he was wrong in using the word "rebellious," and would therefore withdraw it; but he had heard the evidence which Mr. Speaker had himself given before the Committee in 1878, and which was on record, and he maintained that he was entitled to say that it was then proved on evidence, in which the Speaker concurred, that the hon. Member for the City of Cork was the chief originator of the disorderly scenes which had led to the suspension of hon. Members, and necessitated the adoption of the Rules of Urgency on the part of this House to secure the freedom of its own action.

MR. HENEAGE said, he could not help regretting that, after the earnest appeals made to them by the hon. Member for Galway (Mr. Mitchell Henry) and the hon. Member for Oxfordshire (Mr. Cartwright), the Government would take into their early consideration the questions of arrears and leases in Ireland. The action of the Government had changed the state of affairs in Ireland very considerably, and it was now impossible for anyone who knew Ireland to hope that any rent would be paid until this question of arrears was settled. He therefore urged upon the Government not to allow any measure to stand between the House and the decision of that question. There was no one on that side of the House who was a stronger advocate of the *clôture*, as proposed by the Government, than himself; but, notwithstanding the pressing nature of that proposal, he was bound to confess that there were different degrees of urgency, and he maintained that the whole question of urgency in this matter had changed during the last week. If the Government persisted in going on with their 1st Resolution with regard to the Procedure of the House, he considered they would be doing nothing less than gambling with the time of the House; and, moreover, they would, so to speak, be gambling on the worst principle of "Heads—we shall not win; tails—we shall most certainly lose." He thought that anyone who was acquainted with the state of the Order Book of the House of Commons would know that it was impossible that the discussions on the 1st Resolution could be concluded in less than three weeks; and, therefore, if not upon the suggestion of hon. Members opposite, he hoped the Government would reconsider their position with reference to the Resolution in question, upon the appeals of their constant supporters. There was, he ventured to point out, a strong feeling amongst the Liberal Party that the questions of arrears and leases should not be deferred to the end of the Session; and although the general opinion in the House was that a grave crisis had arisen, he believed that on all sides there would be a desire to assist the Government in proceeding with the remaining Resolutions, which were, more or less, agreed to, and which might well be got through within the next week or fortnight. Surely, by that time, the Government would have come to a conclusion as to the measures they intended to bring forward. He would impress upon them that if they proceeded with the *clôture* in the present grave crisis, they would be destroying any chance of dealing with the Irish Question this Session, as well as deferring their chance of dealing with English legislation in the next.

MR. R. N. FOWLER said, the noble Marquess the Secretary of State for India had charged Members on that side of the House, and himself in particular, with not having supported the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) when he occupied a seat on the Treasury Bench. He rose for the purpose of stating that, during the long-protracted debate of last Session, he had remained in his place during the whole of the first night and until 3 o'clock in the morning of the second, as did also many other hon. Members on that side, for the purpose of supporting the right hon. Gentleman in his endeavour to carry the measure brought in by him for the government of Ireland. Again, although the noble Marquess might not have been present on two occasions, once at the close of last Session, and once during the present Session, he had stated in that House that—

> "Much as he differed from the right hon. Gentleman, if there was one man sitting on the Treasury Bench who was actuated by a sincere and manly desire to do his duty to the country, that Gentleman was his right hon. Friend the Chief Secretary to the Lord Lieutenant."

That language having been used by him,

it was not right on the part of the noble Marquess to taunt him personally with not having supported the right hon. Gentleman the Member for Bradford, when he was a Minister of the Crown. Moreover, his hon. Friend the Member for Mid Lincolnshire (Mr. Chaplin) had, during the present Session, although he could not exactly recall his language, spoken in strong terms of his personal respect for the right hon. Gentleman. They were deeply opposed to the policy of the Government with which the right hon. Gentleman had been connected, and, for his own part, he was very glad that he was no longer in such bad company; but, so far as personal respect for the right hon. Gentleman was concerned, he believed that everyone on that side of the House had the greatest respect for his ability and devotion to the service of the Sovereign, as well as for his high character, and, therefore, he could not regard his withdrawal from his position on the Treasury Bench, in the present crisis, as anything short of a national calamity.

Mr. J. N. RICHARDSON said, this was the first time in his experience in Parliament that a Ministerial resignation had taken place, and he had neither the inclination nor the experience by which to enter into the political aspects of the subject; but he did not think he ought to allow this occasion to pass without expressing his sense of personal regret that a statesman who, in the thankless post he had occupied during the past two years, had shown all the dogged and patient qualities that had made England free, should now be under the necessity of severing himself from the Cabinet, of which he had been an ornament. He had no right to speak for the right hon. Gentleman; but he had it from others, who the right hon. Gentleman would acknowledge were dear to him, that one of the wishes of his life for many years had been to be able to do something to ameliorate the condition of the country he visited when he was young. Two years ago that opportunity came; and he gave an earnest of his intention, first by the Relief of Distress Bill, and then by the Compensation for Disturbance Bill, which was thrown out by the other branch of the Legislature. It might have been better for his reputation, in regard to Ireland, if he had resigned even at that time, when he found himself obliged in stern irony to carry out laws which he himself had said were oppressive; but, instead of that, he stuck to his post and to his Colleagues—and his post had not been a bed of roses. It had been his (Mr. Richardson's) lot on one or two occasions to call upon the right hon. Gentleman shortly after the receipt of telegrams from Ireland informing the right hon. Gentleman of the shedding of innocent blood in Ireland—on one occasion the blood of a woman—and when he saw how the right hon. Gentleman felt it, and how he felt that he was being blamed for these occurrences, he said to himself that he would rather have been a prisoner in gaol than in the position of the right hon. Gentleman. And he would go further, and say he believed that when the occurrences of these days became history, and when the correspondence of the leading statesmen was published, as was the correspondence of Pitt and Peel and Palmerston, then, and not till then, even some of the hon. Members opposite, or their descendants, would acknowledge that the ex-Chief Secretary for Ireland, who had been denounced as the enemy of Ireland, had in many cases been her truest friend.

Sir STAFFORD NORTHCOTE: I beg to withdraw the Motion.

Motion, by leave, *withdrawn.*

ORDERS OF THE DAY.

MUNICIPAL CORPORATIONS (*re-committed*) BILL.—[Bill 113.]

(*Mr. Hibbert, Secretary Sir William Harcourt.*)

COMMITTEE. [*Progress 2nd May.*]

Bill *considered* in Committee.

(In the Committee.)

PART II.

Constitution and Government of Borough Burgesses.

Clause 9 (Qualification of burgess).

Mr. BIGGAR proposed to leave out lines 18 and 19, with the object of doing away with a provision which was constantly evaded, and which had no practical effect—namely, the provision which required ratepayers in a borough not only to be ratepayers of premises, but to have residences in such borough before they could vote as electors. No matter how large a ratepayer might be in a borough, if he had not rated premises which he could call his own domicile he could not vote as a burgess in the borough. That provision was constantly evaded, and he had evaded it himself. For a number of years he was a ratepayer to a considerable amount in Belfast; but he had no vote for municipal purposes. After a time he felt disposed to become a member of the Town Council, and, in order to qualify himself for that position, he fitted up a bed-room in the premises for which he had been rated, and by sleeping there a few times he was able to declare himself a *bonâ fide* resident within the borough—when, in reality, he was living with his father, as he was before he manufactured his franchise. In that way this principle was evaded, and it was unreasonable to impose conditions which were really never acted upon in practice. Another case in illustration occurred this year. The Lord Mayor of Dublin had to manufacture a qualification exactly as he had done. The Lord Mayor actually resided seven miles beyond the City of Dublin; but, although a large ratepayer in the City, he had no vote, and, in order to qualify and to make certain that he would not be disqualified as Lord Mayor, he slept a few times in a room in his business premises, and so obtained the qualification.

Amendment proposed, in page 4, leave out lines 18 and 19.

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. HIBBERT admitted that the law was very often evaded; but, at the same time, he could not agree to the Amendment. The law, as stated in these two lines, was drawn in exactly the same way with respect to municipal elections as in regard to Parliamentary elections, and the qualification as to residence was put on exactly the same footing. For that reason he thought it would be undesirable to accept the Amendment. Since the passing of the Act of 1835, it had always been the custom to require 12 months' residence in a town as a qualification, and he could not agree to such a change as that now suggested. The Bill, moreover, was rather a Consolidating Bill than a measure to amend the law.

Mr. BIGGAR doubted whether the hon. Gentleman had correctly stated the law. He had never heard that a ratepayer had to prove residence as well as occupation in order to qualify for a vote at a Parliamentary election. It was not so in Ireland, and he had voted in respect of premises in which he had never lived. He had never had a residence in his life, and he was convinced that a ratepayer in Ireland was qualified to vote, whether he had any residence or not. The real practical effect of this provision was simply to disqualify a comparatively small number of people who might have weight and influence. Many unmarried sons lived with their fathers as he did; but he was registered on the Register as a Parliamentary voter, although he could not vote for a Town Councillor. He thought the hon. Gentleman was incorrect, and this was one of those absurd provisions which could always be evaded if people chose to take a little trouble to do so. More than that, it set up a system of colourable qualification; and he could not agree that, because this was a Consolidating Bill, therefore the law, which seemed absurd in some respects, should not be amended now that there was an opportunity such as might not occur again for a long time.

Mr. HIBBERT said, that what he had stated was the law in England. He was not aware what the law in Ireland was, and this Bill only applied to England. That had been the law since 1835, and he did not consider it wise to make any difference between the qualification for Parliamentary and for municipal elections.

Mr. R. N. FOWLER: Does this Bill apply to Parliamentary elections?

Mr. HIBBERT: No.

Mr. GILL: Are we to understand that this Bill does not extend to Ireland?

Mr. HIBBERT: Certainly; it is merely a Bill to consolidate all Acts relating to England.

Mr. WARTON inquired whether the hon. Gentleman had considered the propriety of extending the seven miles' limit somewhat?

Mr. HIBBERT said, he should be sorry to alter the number of miles, because that was the same limit as for

Parliamentary elections; and, unless it was intended to alter the limit in those cases, it would be unwise to alter it here, more especially as the Register was the same for both purposes.

Mr. BIGGAR said, he would withdraw his Amendment. The point raised by the hon. Gentleman as to the inconvenience of making a distinction between Parliamentary and municipal elections was an important point.

Amendment, by leave, *withdrawn.*

On Question, "That the Clause stand part of the Bill?"

Mr. BIGGAR moved to leave out lines 23 to 26, inclusive, and he explained that the objection to those lines was that, if the governing Party in a borough were disposed to encourage a rate collector, he could exact only the smallest amount of rates; and so a great many ratepayers opposed to the dominant Party would be disqualified. One of the great difficulties in regard to Parliamentary elections was to get people to pay their rates in time; and this provision would be a premium to dishonest rate collectors to abstain from asking ratepayers belonging to an opposite Party to pay their rates. He himself had had a painful experience of this kind in Belfast, because, when the Conservative Party in that borough were very much in the ascendant, their rate collectors intentionally neglected to collect the rates from a large portion of the Liberal electors. The result was that the representation got entirely into the hands of the Conservatives; and that was very injurious, because, thinking they had perfect immunity, they greatly exceeded their borrowing powers. He thought a sufficient qualification would be the payment of one tax or rate, and it was very objectionable to leave a number of collectors to abstain from asking for the rates from a certain section of the electors, with the practical effect of throwing political power into the hands of one Party. For these reasons he proposed this Amendment.

Amendment proposed, in page 4, to leave out lines 23 to 26, inclusive.

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. HIBBERT said, he could not accept the Amendment of the hon. Member, and he could not agree with him at all that these objections would arise to the extent that had been suggested. He did not say it was invariably the case; but, as a general rule, borough rates were collected well up to time by the collectors. As the hon. Member had said, inconveniences might have arisen at Belfast. Nevertheless, he did not think it would be wise to alter the law as to borough rates. So far as he (Mr. Hibbert) was concerned, there had been no application to him on the part of any ratepayers of any borough in England; therefore he could not accept the Amendment.

Mr. WHITLEY said, he could not support the Amendment.

Mr. BIGGAR said, that, as the hon. Member for Liverpool did not approve of the Amendment, he would ask leave to withdraw it. He must say, at the same time, that he was not convinced by the arguments he had heard. He was acquainted with a case where the office of the rate collector was so small that it was impossible, when the last days for paying the rates arrived, for all the people who made a rush to be in time to find standing room within it, and the result was that many people who were anxious to pay could not do so. When travelling through different parts of England, and communicating with Parties, there was no more common complaint made than that a certain class of electors neglected to pay their rates. This would cause a great reduction in the number of electors on the list, and very materially interfere with the elective power of the constituencies. He, however, begged leave to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Council; Mayor, Aldermen, and Councillors.

Clause 10 (Constitution of council) *agreed to.*

Clause 11 (Qualification of councillor).

Mr. BIGGAR said, he would move to leave out from "beyond," in line 5, to "and," in line 7, and insert "within seven miles of the borough." He did not know on what principle a person who was not qualified to vote in a borough should be qualified to act as a member of a Town Council in a borough. To allow such a thing to take place appeared to him to be giving an unreasonable preference to a class of people whom it was not desirable to elect as Town Councillors. Men would be likely to be elected simply on social grounds because they held high positions—and in spite of their being unable to devote continuous attention to municipal business. Any person entitled to vote should be eligible for election on the Council; but, at the same time, no person not qualified to vote should be considered qualified to sit as a member of the Corporation or Board.

Amendment proposed,

In page 5, leave out from "beyond," in line 5, to "and," in line 7, and insert "within seven miles of the borough."—(*Mr. Biggar.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. WARTON rose to Order. The words, as they would be left by the hon. Member's Amendment, would be peculiar, if not absolutely absurd. They would have "resident beyond"—beyond nothing at all. The person would be left, "is resident and not resident," by the Amendment.

MR. HIBBERT said, he should like to explain to the hon. Member (Mr. Biggar) the object of these words he wished to strike out. They were the present law, and were passed in an Act of 1868. They applied only to Aldermen. The Act passed in 1868—which was incorporated in the present measure—enabled Aldermen to live beyond seven miles and up to 15 miles away, and this provision was inserted on the application of a large number of the populous Municipalities of the country. The application was made on the ground that a number of very desirable persons lived more than seven but less than 15 miles away, and that means should be taken to enable those gentlemen to be elected Aldermen. He remembered when leave was given for the introduction of the Bill in 1868, and recollected that what he had stated was the only object of these words. He could not, therefore, agree to the proposal to strike them out. The provision applied only to a very few cases in the country; and as it was thought desirable only a short time ago to enact it, he did not think it would be desirable for Parliament to strike it out.

Amendment *negatived.*

MR. BIGGAR said, the next Amendment on the Paper in his name raised the same question; therefore, he did not propose to move it. However, the Amendment which followed was one which seemed to him to be very important, and one upon which he felt inclined to divide the Committee. The object of the sub-section, as he understood it, was to give power to a member of the Town Council to lease or purchase land from, or sell land to, the Corporation of which he was a member. He could not imagine anything more objectionable and anything more open to abuse than this.

Clause *agreed to.*

Clause 12 (Disqualifications for being councillor).

Amendment proposed, in page 5, leave out lines 39 and 40.—(*Mr. Biggar.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. HIBBERT said, he could not agree, to the Amendment; and when the hon. Member reflected upon what it meant, he doubted whether he would divide the Committee on it. No doubt, it did open the door to corruption of some kind; but, at the same time, many cases arose in which members of Corporations owned land which it was most desirable that those Corporations should purchase; and to accept the proposed Amendment would be to throw a great impediment in the way of making such satisfactory arrangements in regard to land. He did not know whether many cases of corruption had occurred; but perhaps the hon. Member for Liverpool, who was very well informed on these matters, would be able to give them a better idea as to the exact state of the case. So far as he (Mr. Hibbert) was concerned, he had not heard of any cases of the kind.

MR. WHITLEY said, that in some towns the Corporation owned a large quantity of leasehold property, a deal of which was held by members of the Town Council. There were many occupiers who held their leases from the Corporation, and who, from time to time, became members of that Corporation. In Liverpool a third or a quarter of the town consisted of Corporation leaseholds; and if they were to enact that no holder of a Corporation leasehold should be a member of a Town Council, they would be depriving the Corporation of that town of some of its most important members.

MR. LEAMY agreed with the hon. Member who had just sat down that it would be a decided mistake to prevent members of a Town Council from holding Corporation leases.

MR. HIBBERT said, that in all transactions to which the hon. Member (Mr. Biggar) had referred, the consent of the Treasury would have to be obtained, and that consent would not be given without inquiry. It would be seen, therefore, that there was a pretty strong safeguard against corruption.

MR. BIGGAR said, that perhaps he misunderstood the purport of the provision. His contention was not that a member of a Town Council should not hold a Corporation lease, but that he should not bargain for one whilst he was a member of a Corporation. Of course, it should be open to a man, after his lease had been granted, to become a member of a Corporation; but, as in the case of a Trustee, who was unable to take any personal interest in property of which he was Trustee, without going to the Court of Chancery, so a member of a Corporation ought not to be allowed to make any bargain for taking over Corporation property whilst a member of the Corporation. Perhaps the Attorney General for Ireland would remember a case which had occurred in Belfast, within the past two or three years, where a person, on behalf of some minors, took proceedings to set aside the sale of some property to members of a Corporation. It was alleged at the time that the transaction had been of a very questionable character, certain Town Commissioners having given a lease to their own Chairman. It seemed to him that bargains like this could not be defended, and as the matter was an important one, unless a more satisfactory answer were given to him he should divide the Committee on the question. He would propose to amend his Motion, and simply move to leave out all the words after the word "lease" to the word "or" in the next line, as suggested by his hon. Friend (Mr. Leamy). If a person wished to make a bargain with a Corporation, let him cease to be a member of that Corporation, and let his solicitor act for him in the ordinary way. Whilst he was a member of the Corporation he would be in a position to know whether the lowest or what tender would be accepted, and could regulate his proceedings accordingly. Under such circumstances as these it could not be said that property was in the open market.

MR. WHITLEY said, that in Liverpool Corporation property was sold by auction. Where improvements were being effected, and it was found that some of the land which it was desirable to take belonged to a member of the Council, it would be very hard to compel that member to resign his seat in the Corporation before the land could be bought. If such a provision were enacted, it would lead to the retirement of a third of the Town Council of Liverpool. As he had said, in that town all the property of the Corporation was sold by public auction, so that it was impossible for a buyer, who was a member of the Corporation, to have an advantage over anyone else. He had been a member of the Corporation for nearly 20 years, and he had never known of a single instance of corruption, or of anything in the nature of a job.

MR. HIBBERT said, he must again call attention to the fact that in all cases the consent of the Treasury was required before any sale or any lease could be made. It seemed to him that if they adopted the plan suggested by the hon. Member for Cavan, they would provide a very roundabout mode of procedure. It would be a very strange thing if a Councillor or Alderman were obliged to retire from the Corporation before he could sell or lease to the Corporation any property which he might own, and which, for public purposes, might be required. He hoped the hon. Gentleman would not put the Committee to the trouble of dividing upon the question.

MR. BIGGAR said, this was a matter upon which he had formed a very strong opinion; and, therefore, he was afraid he should have to ask the Committee to divide. Despite what the hon. Member for Liverpool (Mr. Whitley) said, it was a well-known fact that in towns where there was not much difference of political opinions, members of the Corporations did many things out of pure friendship towards one another, although those very things might be opposed to the interests of the whole community. There was no reason why a man should not buy from or sell to the Corporation, of which he might be a member, £100,000 worth of property in which he was pecuniarily interested. The clause did not provide that the consent of the Court of Chancery or the Treasury should be obtained to the transaction.

Mr. HIBBERT pointed out that in another part of the Bill it was provided that the Treasury was to be consulted in all cases.

Mr. BIGGAR asked what part of the Bill the hon. Gentleman referred to? The matter was so important that he did not like to pass it over without ascertaining the sense of the Committee.

Mr. HIBBERT said, it was the 109th clause.

Mr. BIGGAR said, the 109th clause provided that—

> "The Council shall not, unless authorized by Act of Parliament, sell, mortgage, or alienate any corporate land without the approval of the Treasury."

And then it went on—

> "The Council shall not, unless authorized by Act of Parliament, lease, or agree to lease, any corporate land without the approval of the Treasury, except as follows:—They may make a lease, or agreement for a lease, for a term not exceeding thirty-one years . . . . .; they may make a lease, or agreement for a lease, for a term not exceeding seventy-five years from the date of the lease or agreement, and either at a reserved rent or on a fine, or both, as the Council think fit."

He had, however, formed a decided opinion upon the subject, and, therefore, must ask the Committee to divide.

Question put.

The Committee *divided*:—Ayes 79; Noes 11: Majority 68.—(Div. List, No. 76.)

Clause *agreed to*.

Clauses 13 to 23, inclusive, *agreed to*.

Byelaws.

Clause 24 (Power of council to make byelaws).

Mr. BIGGAR moved, in page 10, line 4, after "council," to insert "confirms said byelaw or." As the clause now stood a copy of the bye-laws were to be sent to the Privy Council; but no provision was made that the Privy Council must formally declare its approval of them. The clause was wanting in this respect, for it might so happen that bye-laws might be overlooked by the Privy Council. Objectionable bye-laws might thus come into force, and he thought it was desirable to guard against such a possibility by the insertion of the words he proposed.

Amendment proposed, in page 10, line 4, after "council," insert "confirms said byelaw or."—(*Mr. Biggar.*)

Question proposed, "That those words be there inserted."

Mr. HIBBERT said, he was informed it was quite unnecessary to insert the words suggested. Bye-laws would come in force if they were not disallowed of by the Privy Council; and he hoped the hon. Member would not press his Amendment.

Mr. BIGGAR said, he quite understood that bye-laws would come into force if they were not disallowed, and that was what he wanted to provide against. All he desired was that the Privy Council should formally express their approval or disapproval, so that it should not be possible for bye-laws to come into force unless they had first of all been examined.

Mr. HIBBERT said, no difficulty arose at the present time. Bye-laws were always returned from the Privy Council, and they came in force at the very time they were allowed.

Mr. BIGGAR said, he had no wish to go to a division, and asked leave to withdraw his Amendment.

Amendment, by leave, *withdrawn*.

Clause *agreed to*.

Clauses 25 to 35, inclusive, *agreed to*.

Supplemental and Exceptional Provisions.

Clause 36 (Declaration or acceptance of office).

Mr. BIGGAR moved, in page 15, to leave out sub-section 2, namely—

> "Every Alderman who has made and subscribed the declaration in respect of estate shall once in every three years, if required in writing by two members of the Council, make and subscribe a declaration that he is qualified to the value or amount mentioned in the declaration originally made by him."

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. HIBBERT said, he was happy to say he could agree to the Amendment.

Question put, and *negatived.*

Clause, as amended, *agreed to.*

Clauses 37 to 44, inclusive, *agreed to.*

PART III.

Preparations for and Procedure at Elections.

Parish Burgess Lists; Burgess Rolls; Ward Rolls.

Clause 45 (Preparation and revision of parish burgess lists) *agreed to.*

Clause 46 (The burgess roll and ward rolls).

Mr. BIGGAR moved, in page 18, lines 13 and 14, to leave out "twenty-second," and insert "fifteenth." It was found that in the case of a contested municipal election too short a time was allowed to elapse between the completion of the burgess roll and the election. At present only eight days were allowed for preparation; he thought 15 days were quite few enough, and he proposed this Amendment with the object of granting more time in case of municipal contests.

Amendment proposed, in page 18, lines 13 and 14, to leave out "twenty-second," and insert "fifteenth."—(*Mr. Biggar.*)

Question proposed, "That 'twenty-second' stand part of the Clause."

Mr. HIBBERT said, he was sorry he could not assent to the Amendment. It was found quite impossible to have the Register completed by the 15th of October. He was aware that inconvenience arose; but he was afraid it could not be avoided.

Mr. BIGGAR said, he was glad the hon. Gentleman recognized the disadvantage of the present system. Perhaps by the next Sitting of the Committee the hon. Gentleman would be able to suggest a compromise by the adoption of a date between the 15th and 22nd. If the hon. Gentleman could consent to change the 22nd into the 18th, and thus allow a few days extra, it would be of immense advantage in case of a contested election.

Mr. HIBBERT said, he would reconsider the matter, and, if it was possible, suggest a change of date. He could not, however, make any definite promise in the matter.

Amendment, by leave, *withdrawn.*

Mr. BIGGAR said, his next Amendment had reference to the point raised by his hon. Friend the Member for Wexford (Mr. Healy). He proposed, in page 18, to leave out sub-section 3, namely—

> "The names in the burgess roll shall be numbered consecutively, without reference to wards or to polling districts, unless in any case the Council direct that the same be numbered by wards or by polling districts."

In his opinion the burgess roll should be made out in wards or polling districts, because in the case of a contested election nothing was more annoying than to find the streets of the borough arranged alphabetically. He knew there was a provision that the names of voters in each street should be arranged in the order in which they appeared in the Rate Book; but it seemed to him that sub-section 3 of this clause was one which, if adopted, would cause great inconvenience without ensuring any corresponding advantage.

Amendment proposed in page 18, leave out sub-section (3).—(*Mr. Biggar.*)

Question proposed, "That the sub-section stand part of the Clause."

Mr. HIBBERT said, at the present time the law required that the names in the burgess roll should be numbered consecutively without reference to the polling district; but as some Municipalities desired to have the names numbered by wards or polling districts the words had been inserted in the sub-section—

> "Unless in any case the Council direct that the same be numbered by wards or by polling districts."

Those words had been put in on purpose to allow those Municipalities who wished it to have the names numbered by wards or polling districts, and, on the other hand, to allow the old system to be retained wherever it was desired. The sub-section was very elastic, and he thought it was well it should be so. He did not think it wise to lay down any definite principle.

MR. BIGGAR said, that in another part of the Bill provision was made that the lists should be made in a certain way; this sub-section, therefore, conflicted with a succeeding portion of the Bill. He did not see why the hon. Gentleman could not agree to a substantial Amendment, and thus guard against many difficulties which now presented themselves during a municipal election.

MR. HIBBERT said, if the hon. Member would allow the matter to stand over, he (Mr. Hibbert) would see whether the words could not be transposed, in order to bring the latter part of the sub-section into greater prominence.

MR. LEAMY said, he was disposed to let the sub-section stand unaltered.

MR. BIGGAR said, he would not ask the Committee to divide; but he would appeal to the hon. Gentleman to amend the clause, if he could possibly see his way. He (Mr. Biggar) knew that a Corporation was generally the dominant party in a borough, and wished to keep matters as they were. He was convinced the Amendment was desirable in the interest of minorities.

MR. WHITLEY said, he hoped the clause would be retained as at present framed. In the borough of Liverpool, for instance, there were 120 polling districts; and, therefore, it was very important that the Council should have the power to divide the burgess list into districts. It would be almost impracticable to make a consecutive list.

MR. BIGGAR said, the hon. Gentleman (Mr. Whitley) had strongly supported the view which he (Mr. Biggar) took of the matter—namely, that it should be imperative that the burgess list should be divided into wards or polling districts. He did not think it should be within the power of the dominant Party to decide whether the list should be arranged in alphabetical order or not.

MR. HIBBERT promised to look into the question.

Amendment *negatived.*

Clause *agreed to.*

Clause 47 (Arrangement of lists and rolls).

MR. BIGGAR moved, in page 19, to leave out lines 4, 5, and 6—namely—

> "(2.) Subject to any such direction, and to the provisions of this Act as to polling districts, the arrangement of the lists and rolls shall be alphabetical."

He held that these words were in entire opposition to another part of the Bill, and one which the hon. Gentleman had assented to.

Amendment proposed, in page 19, leave out lines 4, 5, and 6.—(*Mr. Biggar.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. HIBBERT said, the object of the words proposed to be left out was to allow Municipalities to act as they considered best. He did not think it desirable to lay down a hard-and-fast line as to the way in which the various municipal lists should be made out.

MR. BIGGAR said, the arrangement of the list alphabetically entailed considerable inconvenience upon collectors and other officials, as well as upon candidates for municipal honours. He really could not see on what ground the hon. Gentleman should insist upon the retention of the lines; and, therefore, he moved their omission.

MR. HIBBERT said, he would consider the matter with the other postponed clauses, if the hon. Member would bring it up on Report.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 48 (Correction of burgess roll) *agreed to.*

Clause 49 (Printing and sale of burgess roll and other documents) *agreed to.*

Clause 50 (Separate list of persons qualified to be councillors but not to be burgesses).

MR. BIGGAR said, he had given Notice of his intention to move the omission of this clause. Inasmuch as the clause raised the question of the alphabetical arrangement of the burgess lists and other matters, which had been already decided, he would not press his Amendment. Perhaps, however, the hon. Gentleman, when he was considering the general question of the alphabetical lists, would consider whether he could not consent to the omission of the 3rd sub-section of this clause—namely—

> "The town clerk shall arrange the names entered in these lists, when revised, in alphabetical order as a separate list (in this Act

called the separate non-resident list), with an appropriate heading, at the end of the burgess roll."

Clause *agreed to.*

Clauses 51 to 58, inclusive, *agreed to.*

Clause 59 (Mode of conducting poll at contested election).

Mr. BIGGAR moved, in page 21, line 18, to leave out "four" and insert "six." His object in proposing this Amendment was to give the working people a greater opportunity of recording their votes. The question had been much discussed, and he believed there was a strong opinion held by many people that the hours of polling should be extended. He need not offer any arguments in favour of the Amendment.

Amendment proposed, in page 21, line 18, leave out "four" and insert "six."—(*Mr. Biggar.*)

Question proposed, "That 'four' stand part of the Clause."

Mr. HIBBERT said, the Ballot Act Continuance Bill, which was now before the House, provided that Municipalities should limit the hour of polling to 8 o'clock. Seeing that that Bill dealt with both Parliamentary and municipal elections, he did not think it desirable to assent to the present Amendment.

Mr. LEAMY said, he hoped his hon. Friend (Mr. Biggar) would not press the Amendment. To extend the hours of polling to 6 o'clock would be of little advantage, because the majority of working men did not cease work until 6 o'clock.

Mr. BIGGAR could foresee great difficulty and inconvenience if they were to have one Act laying down one principle and another Act laying down another principle. The result would be confusion, and one set of Judges would decide one way and another set of Judges another.

Mr. HIBBERT said, he did not think the difficulty would arise which the hon. Gentleman imagined. The Ballot Act Continuance Bill provided that a Town Council should decide whether they would keep a poll open until 4 o'clock or until 8 o'clock. If they decided in favour of the later hour they would pass a resolution accordingly, and the poll would be open until that hour for all time to come. It was wise to wait and see what decision was arrived at in respect to the Ballot Bill.

Mr. HEALY asked why the hon. Gentleman should be so nice? The Ballot Act Continuance Bill, to all appearances, was not likely to pass this Session. There was a very strong feeling with regard to the hours of polling, and he knew that in some boroughs the working men complained very greatly about the insufficient opportunity afforded them to vote. He thought the hon. Gentleman might very wisely consent to 4 o'clock being struck out and some later hour being inserted.

Mr. BIGGAR asked leave to withdraw his Amendment, in order to adopt the word "eight" instead of "six." If the Government thought it desirable that the hours of polling should be extended to 8 o'clock, they had now an opportunity of adopting that hour. If the point were raised on the Ballot Bill, a lengthy discussion would, no doubt, be carried on by the Conservative Members; but now the Government had the chance of extending the hours of polling without any opposition. They heard a great deal about the waste of time and about Obstruction; but he believed that more time was wasted by the want of judicious management on the part of hon. and right hon. Gentlemen who had charge of Bills than by all the Obstruction that could possibly be carried on in the House. He begged leave to move that the word "four" be struck out and the word "eight" inserted. The Government would thus have an opportunity of voting for their own principle.

The CHAIRMAN: If the Committee strike out the word "four," which is the word before the Committee, and if the Committee also refuse to insert the word "six," then the hon. Gentleman may move that the word "eight" be inserted.

Mr. HEALY said, he hoped that the hon. Gentleman (Mr. Hibbert) would not put his foot upon the suggestion, but that he would at least promise to give some consideration to the matter. He (Mr. Healy) did not think the Ballot Act Continuance Bill had the smallest chance of passing this year; but the hon. Gentleman had now, nevertheless, an excellent opportunity of enabling working men to vote.

Mr. HIBBERT said, he was quite willing to reconsider the subject; but what he really wanted to impress on the Committee was that it would be quite impossible to alter this Bill in order to extend the hours of polling from 4 to 8 o'clock. What should be done, if anything at all was done, would be to give power to the Town Council to make the alteration if thought desirable. It was well known that most Municipalities were not populous, and that there was no necessity to have polls open after 4 o'clock. There were, however, many other places where it would be a convenience to have polls open until 8 o'clock; under the Ballot Act Continuance Bill, the polls in those places could be kept open until that hour. He was not quite so hopeless about the Ballot Bill as the hon. Member (Mr. Healy); on the contrary, he believed it had every chance of becoming law this Session.

Mr. BIGGAR said, he would not put the Committee to the trouble of dividing; but would ask leave to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clauses 60 to 109, inclusive, *agreed to.*

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Biggar*).

Motion *agreed to.*

Committee report Progress; to sit again *To-morrow.*

COUNTY COURTS (IRELAND) BILL.

(*Mr. Findlater, Mr. Givan, Mr. Patrick Smyth, Mr. Thomas Dickson.*)

[BILL 18.] SECOND READING.

Order read for resuming Adjourned Debate on Question [15th March], "That the Bill be now read a second time."

Question again proposed.

Debate *resumed.*

Mr. FINDLATER said, he had withdrawn the clauses of this Bill which related to Equity appeals; and as the right hon. and learned Gentleman the Attorney General for Ireland had consented to the remaining clauses upon that understanding, he hoped the House would agree to the second reading of the Bill.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* 15th May.

Mr. FINDLATER said, if he were in Order, he would then move Instructions to the Committee to consider certain clauses extending the Equity jurisdiction, of which he had given Notice to the right hon. and learned Attorney General for Ireland.

Mr. SPEAKER: The hon. Member will have to give Notice of the Instructions to the Committee which he desires to move.

MILITARY MANŒUVRES [COMPENSATION].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of Compensation to persons whose lands may be damaged by the passage of Troops, and of persons accompanying them; and of Compensation to the Members of the Court of Arbitration to be appointed in pursuance of any Act of the present Session for making provision for facilitating the Manœuvres of Troops to be assembled during the present summer.

Resolution to be reported *To-morrow.*

WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

Resolved, That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1883, the sum of £9,282,435 be granted out of the Consolidated Fund of the United Kingdom.

Resolution to be reported *To-morrow.*

MOTION.

TRAMWAYS PROVISIONAL ORDERS (NO. 3) BILL.

On Motion of Mr. Ashley, Bill to confirm certain Provisional Orders made by the Board of Trade under "The Tramways Act, 1870," relating to Birmingham and Aston Tramways, Birmingham and Suburban Tramways, Birmingham and Western District Tramways, London South District Tramways, Manchester, Bury, and Rochdale Tramways (Extensions), Sea View and Brading Harbour Tramways, and Walsall and District Tramways, *ordered* to be brought in by Mr. Ashley and Mr. Chamberlain.

House adjourned at a quarter after Two o'clock,

HOUSE OF LORDS,

Friday, 5*th May*, 1882.

MINUTES.]—PUBLIC BILL—*Select Committee*—Stolen Goods* (64), *nominated*.

THE ORDNANCE SURVEY.

QUESTION. OBSERVATIONS.

LORD **BRAYE** rose to call attention to the fact that no Ordnance Survey has been made of a large portion of the British Isles since the reign of William IV., when the map was published on the one-inch scale only; and to inquire if the Government would accelerate the 25-inch survey now progressing, by restricting the work of the ordnance surveyors to the British Isles, or by taking any other steps conducive to the completion of the first extended map of this country? At present it was next to impossible to ascertain the exact area of many fields in the Midland counties, and this uncertainty led to arbitrations which were often disputed. Some fields were 85 or 90 or 95 acres in extent; and as there existed no private or public survey of them, difficulties arose in determining their value. Again, the boundaries of counties were in some instances vague and undefined, an evil which would be best remedied by a carefully prepared map.

EARL **STANHOPE** desired to point out that, according to the Report of the Survey of last year, most of the river basins had not yet been surveyed. In the interests of the ratepayers it was important that the work should be pushed on, more especially as the Rivers Conservancy and Floods Prevention Bill had already passed a second reading in the other House, and he hoped would soon become law. No doubt, since the last Survey was prepared, great changes had occurred in the roads and railways of this country; but the present Survey was progressing very slowly, and 24,774 square miles were still unsurveyed in England and Wales. To his mind it was a great disgrace to us that, whereas in France and Germany effective Surveys had been made in recent years, such large portions of this country had not been surveyed for the last 40 or 50 years. He urged that the Survey should be pressed forward, so as to terminate, not in 1890, as proposed, but in two or three years' time. The Parliamentary Report, however, stated—

> "That the progress of the survey is exactly proportioned to the amount of the money voted by Parliament for its prosecution."

LORD **SUDELEY** said, in reply to the noble Lord, he was glad to be able to inform him that steps had been taken for greatly accelerating the Ordnance Survey. The Government came to the conclusion in 1880 that, in view of facilitating the transfer of land, it was most important that there should be a good cadastral map at an early date. Arrangements were at once made to obtain a larger Vote from Parliament, and to train a large number of skilled men. with the view of doubling the staff, Great difficulty was experienced in so largely increasing the number of men employed, especially those engaged in carrying on the supervision and checks, for which special qualities and great experience were necessary; but these difficulties had been successfully met and overcome. In carrying out the Survey preference had been given to mineral districts, Metropolitan counties, and parts required for military purposes. There were nine centres from which the Survey was carried on, and they were so arranged as to give the greatest facility for conducting the work with economy and efficiency. In England and Wales, out of 59,470 square miles, about 37,000 square miles had been surveyed. Last year the amount surveyed was 2,388 square miles. It was now confidently hoped that the whole Survey would be completed in 1890, instead of 1900, which was formerly contemplated. The noble Lord was afraid that scientific and interesting expeditions to Syria and Palestine would interfere with the progress of the Survey. He could assure him that would not be the case, and at present there were no special Surveys being carried out. As regards the Palestine Survey, it was a mistake to imagine that it interfered with the Home Survey. The men employed were not wanted at home, and the money expended came from private sources. The real reason that had kept back the Survey so long had been the simple fact that up to 1880 only £100,000 had been voted by Parliament annually, and the progress had been exactly in proportion to the amount so voted. The Vote now asked in the Estimates was £215,000. There had been considerable delay in publishing the maps, and it was undoubtedly true that the 6-inch map had been much behind the 25-inch scale map, for the simple reason that with the 6-inch map, after being reduced by photography from the large scale, it was necessary to transfer it to copper and then to engrave on the plate. This process was most tedious and costly, and thus delayed the 6-inch maps, while with the 25-inch large scale a photozincograph could be made direct, and the maps were thus completed at once. He was glad to be able to inform the noble Lord that during the last two months the Director General had discovered a plan by which this process of photozincography could be used also for the 6-inch maps. Not only would this effect a great saving of time, but it would also effect a saving of about £100,000. If the noble Lord wished to see in detail the exact dates when the Survey would be completed in each county, he would find the whole question most carefully worked out and shown on a map in a Return presented to Parliament last August, and which gave a great deal of information on the subject.

STOLEN GOODS BILL [H.L.]

The Lords following were named of the Select Committee:

Ld. Chancellor.	L. Brodrick.
E. Waldegrave.	L. Rosebery.
E. Beauchamp.	L. Aberdare.
V. Sherbrooke.	L. Bramwell.
L. Thurlow.	

The Committee to meet on *Wednesday* next at Two o'clock, and to appoint their own Chairman.

House adjourned at a quarter before Five o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, *5th May*, 1882.

MINUTES.]—Ways and Means—*considered in Committee*—*Resolution* [May 4] *reported*.
Public Bills — *Resolution* [May 4] *reported*— Military Manœuvres [Compensation] *.
Ordered—Consolidated Fund (No. 3) *.
Ordered — *First Reading* — Pier and Harbour Provisional Orders (No. 2) * [150].
First Reading—Tramways Provisional Orders (No. 3) * [151].
Report—Local Government (Highways) Provisional Order * [129].

QUESTIONS.

SPAIN—DEATH OF A BRITISH SUBJECT.

Mr. HENDERSON asked the Under Secretary of State for Foreign Affairs, What steps have been taken by Her Majesty's Government with reference to the following melancholy occurrence at Malaga in December last:—

> "On the evening of the 10th December 1881, Thomas Mitchell, third engineer of the Anchor Line S.S. "Tyrian," in company with the second mate, the second engineer, and the chief steward of that vessel, all of them being respectable young men, and perfectly sober, were taking a stroll through the town. In the course of their walk, the locality being quite unknown to them, they approached the public gaol: the night was dark and cold; they heard a man, who was wrapped up in a rug, shout out several times, in a loud voice, but being ignorant of the language, they supposed the man was addressing somebody else, and they walked on, conversing with each other in a friendly way, when a shot was fired at them, which struck and mortally wounded Mitchell in the left groin. It was only then that they became aware that the place was the public prison and that the man in the rug was one of the sentries. Mitchell was carried to the hospital, when he died of his wound the next morning. The deceased was a very promising young man and a great help to his parents, who are not without need;"

and, whether, under the circumstances, it is the intention of the Spanish Government to make compensation to Mitchell's parents; and, if not, what steps Her Majesty's Government propose to take in the matter?

Sir CHARLES W. DILKE: Sir, Lord Granville has been informed that the Spanish Government will contribute a moderate sum to a subscription which it is proposed to raise on behalf of Mitchell's family.

LAW AND POLICE (IRELAND)—THE ACT OF EDWARD III.—TREATMENT OF PERSONS REFUSING TO FIND BAIL.

Mr. HEALY asked Mr. Attorney General for Ireland, Whether it is the fact that the prisoners who have refused to give bail under the Act of Edward III.

are not allowed to communicate with each other in the same prison, or with anybody else, except during the fifteen minutes allowed to outside visitors; whether, while they are allowed to write to friends outside the gaol and to prisoners in other gaols, they are not allowed to write to friends in the same prison, nor allowed to speak to them; whether the rule affecting such prisoners expressly states the object of this is "to prevent contamination" and "the defeating of the ends of justice;" whether the Government apprehend "contamination" or the "defeat of the ends of justice" in the case of the persons at present arrested under the Act of Edward III.; if not, whether they can permit a modification of the rule; whether it is the fact that a person reasonably suspected of murder is only kept in solitary confinement for 18 hours out of the 24, and is allowed to have free communication during exercise and recreation with the other suspects; whether it is the fact that the whole of the prisoners detained under the Act of Edward III. have refused to give bail, because they consider that this would be an admission of crime on their part; whether such prisoners who choose imprisonment rather than admit the supposition of crime are placed in a worse position as regards association, recreation, and confinement than persons whom the Government suspect of murder; whether, in view of the inequality of treatment, the Government intend to propose any alteration; and, how many ladies and gentlemen are confined in consequence of the refusal to give bail?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON), in reply, said, that persons who declined to give security for good behaviour when charged with indictable offences were treated according to the prison discipline provided by the Act of 1877. The Rules framed under that Act had been before Parliament, and they could not be altered by Government, Parliament having placed the power of dealing with them in the hands of the Prison Commissioners only. As to whether the persons alluded to had refused to give bail, because they considered that to do so would be an admission of crime on their part, he could only say that he did not know what motives actuated them in not complying with the magisterial orders. The entire number of persons in all Ireland at present committed in default of sureties amounted to 43.

MR. HEALY said, the right hon. and learned Gentleman left six paragraphs of his Question unanswered.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he would answer them one by one. In the first place, the magistrates derived their jurisdiction partly from their commission and partly from the Act of Edward III. The prisoners were subject to the rules for untried prisoners, which the Government had not power to alter. He was unable to say whether any exception was made in reference to persons committed for trial for murder.

MR. HEALY asked, if it was not the fact that these persons were kept in solitary confinement for 22 hours out of every 24, whilst persons detained under the Coercion Act on suspicion of murder were only kept in solitary confinement for 18 hours?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON), in reply, said, that the House had thought fit to make special provisions in regard to persons detained under the Coercion Act, so as to make their position, if not as agreeable as possible, at least as little punitive as possible.

In reply to a further Question from Mr. SEXTON,

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he was aware that three ladies were on Wednesday committed to prison in default of entering into security to be of good behaviour; but he did not know what the particular charge against them was. If the committal was illegal, it could be upset in the Queen's Bench.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR. PATRICK M'DOWELL.

MR. HEALY asked Mr. Attorney General for Ireland, Whether it is the fact that Mr. Patrick M'Dowell, of Feakle, county Clare, arrested on the 22nd October, is still detained in Clonmel Gaol, while Mr. Michael Hogan, arrested two days previously, on the same charge and from the same place, was released four months ago; and, whether the district is now peaceable, and if the case of Mr. M'Dowell can be considered?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): Sir, in reply to this and the several other Questions of hon. Members in reference to persons at present in detention under the Protection Act, I am authorized by His Excellency the Lord Lieutenant to say that he will proceed to Ireland at once, and that it is his intention, at the earliest opportunity, to consider all the cases of persons now detained under that Act.

ARMY (AUXILIARY FORCES)—BREVET MAJORS.

Colonel O'BEIRNE asked the Secretary of State for War, To state by what rule of the Service Brevet Majors in the Army drawing brevet pay, under authority of Royal Warrant of the 15th June 1806, and, being appointed Adjutants of the Auxiliary Forces from 1871 to 1877 inclusive, were deprived of such brevet pay, and which was continued to brevet majors holding other staff appointments; and, by what rule or warrant were such Brevet Majors deprived of arrears of pay due to them from date of their respective appointments as Adjutants, under the authority of paragraph 451 of the Royal Warrant of 1880, in view of the fact that the Royal Warrant of 1877 did not forbid such retrospective grant?

Mr. CHILDERS: Sir, in reply to my hon. and gallant Friend the Member for Leitrim (Colonel O'Beirne), I have to state that up to 1875 the pay of an Adjutant of Auxiliary Forces was 10*s.* a-day, whatever his rank might be. In that year, however, it was raised to a rate equal to that of a captain in the arm of the Service to which the officer belonged, and in 1877 a special Warrant granted to those officers who had brevet rank, brevet pay from that time. If my hon. and gallant Friend claims for these officers a vested interest in what they were entitled to receive before the Warrant of 1875, their pay would be decreased instead of increased, as, whether majors or not, they would only receive 10*s.* a-day. As to the last part of the Question, the Warrant of 1877 expressly provided that the additional pay should commence from the 1st of April of last year.

STATE-AIDED EMIGRATION.

Mr. RANKIN asked the Under Secretary of State for the Colonies, Whether, in view of the large number of persons in the Metropolis and elsewhere in this Country who are either totally or partially unemployed, he has any intention of bringing in a measure of State-aided emigration?

Mr. COURTNEY: No, Sir.

JUDICATURE ACT, 1875—THE NEW RULES OF PROCEDURE.

Sir HARDINGE GIFFARD asked Mr. Attorney General, Whether he can give any assurance that the rules about to be promulgated in relation to trial by jury, pleadings, and appeals will be laid upon the Table of the House soon enough to enable a full discussion to take place upon them?

The ATTORNEY GENERAL (Sir Henry James), in reply, said, that these rules were made under the Judicature Act of 1875, and would come into operation as soon as they were promulgated. All that was required was that, 30 days after coming into operation, they should be laid upon the Table of the House.

Sir HARDINGE GIFFARD said, that, in consequence of the answer he had received, he would, on Tuesday next, move for leave to bring in a Bill to amend the Act in that respect.

ARMY—COMMUTED ALLOWANCES.

Mr. MACFARLANE asked the Secretary of State for War, If he can say why the scale for commuted allowance instead of fuel and light has been reduced by the recent Army Circular from 2*s.* 3*d.* to 1*s.* 2*d.* for Staff and Regimental Officers in the northern and North British districts, thereby greatly diminishing the quantity of fuel and light they can purchase, and why, in these districts, are officers of the rank of Captain and Lieutenant placed in no better position, but in some instances on a lower scale, than warrant officers and non-commissioned officers under Scale I.?

Mr. CHILDERS: Sir, in reply to the hon. Gentleman (Mr. Macfarlane), I have to state that formerly the allowances for fuel were the same in all parts of the Kingdom, whereas now they are in each district calculated on the cost of the issues in kind to which they are entitled *plus* 30 per cent. Warrant officers receive a higher rate than regimental captains and lieutenants, because the latter, in addition to the commuted rate, which is personal to the officer, receive on account of their mess issues of fuel and light in kind.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—THE REV. THOMAS FEEHAN, C.C.

Mr. MARUM asked Mr. Attorney General for Ireland, Whether, in view of the statement made by the First Lord of the Treasury in regard to the release of suspects, he will consider the advisability of not further detaining in gaol the Rev. Thomas Feehan, C.C.?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson), in reply, said, that if this gentleman was detained under the Protection Act, it was covered by the general answer he had already given. If he was not detained under that Act, the circumstances of the case were different, and it could only be dealt with under the ordinary law.

LANDLORD AND TENANT (SCOTLAND) —EVICTIONS IN THE ISLAND OF SKYE—TRIAL OF THE RIOTERS.

Dr. CAMERON asked the Lord Advocate, Whether it is true that the trial of the accused Skye Crofters has been fixed to take place at Inverness on Wednesday, the 10th instant; whether it is a fact, as alleged by the agent for the accused, that, in consequence of the steamboat arrangements between Skye and Inverness, the selection of that day will involve on witnesses from Skye the necessity of a five days' absence from home, whereas the selection of a day earlier or later would enable them to save two days of that time; and, whether, if this be so, he will order such alteration in the date of the trial as will enable evidence for the accused to be secured without such heavy and avoidable expense?

The LORD ADVOCATE (Mr. J. B. Balfour), in reply, said, he was glad to say that he had that day received a communication from the Sheriff of Inverness-shire stating that the day of trial had been changed from Wednesday, the 10th instant, to Thursday, the 11th, so that the inconvenience referred to would be avoided, the witnesses being able to come to Inverness on Wednesday and return on Thursday.

COAL MINES—COLLIERY EXPLOSIONS AT BRUNTCLIFFE AND BAXTERLY.

Mr. BURT asked the Secretary of State for the Home Department, If he will appoint a legal representative to attend the coroner's inquests at the Victoria Pit, Bruntcliffe, and at the Stratford Pit, Baxterly, where explosions occurred on the 2nd instant, by which several lives were lost, in order that a searching inquiry may be made into the cause of these disasters?

Sir WILLIAM HARCOURT, in reply, said, that he intended to do what had been suggested.

STATE OF IRELAND—"LAND LEAGUE HUNTS."

Mr. HEALY asked Mr. Attorney General for Ireland, Whether it is the fact that, on the 25th of March, a large number of policemen were drafted into South Wicklow to suppress an alleged Land League hunt; and, whether there was no such hunt as was apprehended, at whose instance the police were called in, what the amount of expense was, and by whom this expense will be borne?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson), in reply, said, it was not a fact that any police were drafted into Wicklow on the occasion to which the Question referred. The Government received information that Land League hunts were to take place near Kilbride on the 25th March, and a force of Constabulary was sent to the place to prevent them; but, inasmuch as it was made up from the county force, it would involve no extra expense to the County Wicklow.

PRISONS (IRELAND) ACT—LIMERICK GAOL.

Mr. HEALY asked Mr. Attorney General for Ireland, Whether eight gentlemen are at present detained in Limerick Gaol who have refused to find bail; whether it is the fact that they are not allowed to speak or smoke during exercise time; and, what the objection is to allowing them to communicate with each other; and, if he will state the length of time they are kept in solitary confinement?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Sir, the facts are correctly stated in the first two paragraphs of this Question. Speaking is prohibited by Rule 2 of the rules for local prisons. Smoking is prohibited by Act of Parliament, 7 *Geo.* IV. c. 74, s. 109, sub-section 12.

MR. HEALY asked how long the persons were kept in solitary confinement?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): I do not remember exactly the length of time; but I believe it is 18 hours out of the 24. I will look into the rules if the hon. Member wishes me to do so.

MR. O'SULLIVAN asked the right hon. and learned Gentleman, Whether there have been numerous complaints made from time to time against Mr. Egan, the Governor of the County Limerick Prison, regarding the treatment of untried prisoners under his charge; whether he has been reprimanded on more than one occasion by the prison authorities; and, whether His Excellency the Lord Lieutenant will continue this officer in so responsible a position?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Sir, complaints have from time to time been made by untried prisoners against the Governor of Limerick Prison. When inquired into, many of them were found to be groundless. On the 18th ultimo I am informed that the Governor was admonished to be more careful in future to see that improper communications were not passed out of the prison; to avoid unnecessary interference with letters, unnecessary delay in delivering books, and unnecessarily stringent rules as to visits of prisoners from one division of the prison to another; and in the infliction of punishments; and, so far as I can learn, this was the only occasion on which he was admonished.

PRISONS (IRELAND)—SUNDAY REGULATIONS.

MR. HEALY asked Mr. Attorney General for Ireland, Whether it is the fact that games of chess, &c. are forbidden to the suspects in Naas and other prisons on Sundays; and, whether there is any reason for such amusements being stopped on Sunday more than any other day?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Yes, Sir; it has always been customary in all the prisons in Ireland to stop such games on the Sunday.

MR. HEALY asked if the right hon. and learned Gentleman would have any objection to modify the rule so as to allow the prisoners to amuse themselves on Sundays as well as any other day?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that was a matter for the Prison Board.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881 — MR. PATRICK CLINTON AND MR. JAMES MONAGHAN.

MR. T. D. SULLIVAN asked Mr. Attorney General for Ireland, Whether Mr. Patrick Clinton, of Castlepollard, in the county of Westmeath, is not still detained in prison as a suspect, although two other persons who were arrested at the same time and place, and on the same alleged grounds of suspicion, have long since been released; and, if so, whether he would not now think it proper to order the release of Mr. Clinton? He would also ask, in reference to the case of Mr. James Monaghan, of Collinstown, county Westmeath, at present a suspect in Kilkenny Prison, whether he will be pleased to order his release, Mr. Monaghan having been in confinement since the 7th of November, his family undergoing great hardships in consequence of his detention, and one of its members being now dangerously ill?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON), in reply, said, he had already given an answer in relation to all the persons in detention under the Protection Act.

IRELAND—MULLINGAR WATER SUPPLY.

MR. T. D. SULLIVAN asked Mr. Attorney General for Ireland, Whether the Local Government Board will take such action as may be advisable and within their power in aid of the sanitary authority of the town of Mullingar, with a view to provide for the people of that town a supply of pure water, the source of such supply and the plans for distributing it having been already approved by that Board, and the water at present in use having been proved by analysis to be of bad quality and dangerous to the public health?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson), in reply, said, that the matter rested entirely with the sanitary authorities of the town of Mullingar. The Local Government Board were perfectly willing to co-operate with the municipal authorities in Mullingar and give the necessary powers as soon as a feasible scheme for a water supply was laid before them and a source of good water found out.

THE ROYAL IRISH CONSTABULARY—PAY AND ALLOWANCES—EVIDENCE GIVEN BEFORE THE LATE COMMISSION.

Mr. O'SHAUGHNESSY asked Mr. Attorney General for Ireland, If it is intended to print and publish the evidence given before the late Commissioners of Inquiry into the pay, &c. of the Royal Irish Constabulary?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson), in reply, said, that was a matter in regard to which the Irish Department had been in communication with the Treasury for a long time; but he understood the expense would be considerable.

IRISH LAND ACT, 1870—THE POOR LAW.

Mr. ION HAMILTON asked Mr. Attorney General for Ireland, If he has received any information in regard to the facts alleged in the following paragraph, which appeared in the Irish Correspondence of the "Times" of the 1st instant:—

> "A gentleman in a western county has a demesne and about thirty tenants occupying one electoral division. As they refused to pay their rents he evicted them. Immediately they applied to the board of guardians, who voted from £1 to £2 a week for the relief of each family. The effect of this—for the rating in Ireland is by electoral division—is that the whole cost is thrown upon him, involving an expense of from £40 to £50 a-week. But this is not all. They have all lodged claims under the special section of the Land Act of 1870, which provides that where the rent is £15 or under, if the rent of the holding be held to be exorbitant, eviction for non-payment will be looked upon as a disturbance, and the tenant shall be entitled to compensation measured by seven years' rent. They have also made claims for improvements. He has, therefore, sixty lawsuits on his hands, and claims against him to the amount of about £10,000;"

and, whether the Government propose taking any steps to prevent landlords being ruined through the agency of the Poor Laws?

Mr. HEALY said, he wished, before the Question was answered, to know, whether it was a fact that the Irish Members had been years bringing in Bills to abolish electoral division rating, and to substitute Union rating instead; and, whether the Representatives of the landlords and the Tory Party had not opposed this proposal on every occasion?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson), in reply, said, he was not a Member of the House during the time to which the hon. Member referred, therefore he could not answer the Question. He was aware, however, that Union rating in Ireland had for a long time been a matter of public consideration. He was unable to find out the instance which the hon. Member for Dublin (Mr. Ion Hamilton) indicated in his Question; but in answer to his inquiry, he had to say that the auditor of the Local Government Board, under the 95th section of the first Poor Law Act, was empowered to disallow all illegal and improper charges that were taken credit for by Guardians, and to reduce those which were extravagant.

STATE OF IRELAND—"LAND LEAGUE FAIRS."

Mr. HEALY asked Mr. Attorney General for Ireland, Whether it is the fact that, on several occasions recently, in the county of Galway and elsewhere, "Land League Fairs" have been prohibited by the authorities; whether, in reply to a memorial to the Lord Lieutenant, from Mr. Dermod Fox, praying against the holding of a fair and the collection of tolls by Lord Clancarty, at Ballinasloe, on the 9th instant, the Under Secretary stated that he could not interfere; if so, on what principle the Government have interfered with fairs in other localities, and at whose instance; whether it is the fact that Mr. Fox alleges that Lord Clancarty had neither patent nor authority to hold a fair on the 9th May, and that such fair would be an infringement upon his own rights; and, why, if the Government refuse to inquire into the truth of the allegations made against Lord Clancarty, they have interfered to prevent the holding of fairs and the collection of tolls by members of the Land League?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Sir, no Land League fairs in Galway or elsewhere, so far as I can ascertain, have been prohibited by the authorities. It is a fact that Mr. Fox made a representation to the Government relative to an alleged infringement of his rights by the Earl of Clancarty, and was informed that the matter was not one for the interference of the Lord Lieutenant. I am aware that in some cases—one in the last Munster Circuit — an action was successfully brought by the owner of a fair market against the infringement of his right by persons holding what is called a Land League fair. I must add that anyone attempting unlawfully, without the proper patent or authority, to levy toll infringes the Prerogative of the Crown.

MR. HEALY asked, whether it had not been brought under the right hon. and learned Gentleman's notice that in several towns in Cork the police were given orders to prevent Land League fairs?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he apprehended that the hon. Member was referring to the case of Dunmanway.

MR. HEALY: And Ballineen.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that in these towns the streets were obstructed by the holding of the fairs, and the police were directed to clear them.

LAW AND POLICE (IRELAND)—LEGAL OBLIGATIONS OF INNKEEPERS—MR. JOHN R. O'GORMAN.

MR. O'SULLIVAN asked Mr. Attorney General for Ireland, If he is aware that John R. O'Gorman had to pay a large amount in damages and costs for refusing to entertain an emergency man at his hotel in Charleville; whether he has been arrested and detained in prison for over six months; and, whether he will give orders for his release?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Sir, I believe that some persons who were refused admission into Mr. O'Gorman's hotel without lawful excuse brought actions against him, and in one of those actions recovered heavy damages. Whether the plaintiffs in those actions were Emergency men or not I do not know; but their case was that they were guests unlawfully refused accommodation by an innkeeper. The last two paragraphs of this Question are governed by my reply to the Question of the hon. Member for Wexford (Mr. Healy).

IRELAND—IRISH POLICY OF THE GOVERNMENT.

MR. CHAPLIN: I wish, Sir, to put a Question to the right hon. Gentleman the Prime Minister, which, though I have not been able to give him private Notice of it, he may now be able to answer. It is, Whether the late Chief Secretary to the Lord Lieutenant was privy to the secret information consequent upon which the Government thought it right to release the "suspects?" That appears to me to be an important point, not cleared up in the debate yesterday. Further, I wish to ask, whether the right hon. Gentleman proposes to give the House any further particulars or details as to the character and sources of this information, and, if so, when?

MR. GLADSTONE: I quite understand that there was no discourtesy on the part of the hon. Gentleman in putting this Question without Notice. I know very well that in times like these, suggestions occur with rapidity, and it may be desirable that they be acted upon promptly. Nor have I any difficulty in answering the Question, excepting that I would rather it had been done by my right hon. Friend (Mr. Forster) had he been in the House. As he is not in the House, and as the matter is indefinite, and as it admits of answer without doubt or question, I will say at once that the character of the evidence, the principle and most important part of it, and probably that which the hon. Gentleman has in his mind, was documentary, and that the documents in which it was contained reached me from my right hon. Friend the late Chief Secretary for Ireland.

MR. GIBSON: I beg leave to ask the right hon. Gentleman if he would have any public objections to giving that documentary evidence to the House?

[*Cries of* "No!" *from the Ministerial Benches.*]

MR. GLADSTONE: That is a question of the gravest nature in point of honour and feeling. I would rather not give any opinion on the subject at the present moment. My object has been to leave it in the hands of hon. Gentlemen, wholly without prejudice or fetter of any kind, and especially in the hands of the hon. Member for the City of Cork (Mr. Parnell), to whom, I think, it was justly due to make his own statement, entirely unembarrassed by any proceedings on my part. I have merely described, on my own responsibility, what I take to be the general effect of them. I am sure the right hon. and learned Gentleman entirely appreciates the statement I have made.

SIR MICHAEL HICKS-BEACH: Sir, I beg to give Notice that on Monday next I propose to move the following Resolution:—

"That, having regard to the critical condition of Ireland and the recent statements of Ministers of the Crown, this House is of opinion that it is of paramount importance to the best interests of the country that the whole Irish policy of the Government should be forthwith submitted to the consideration of Parliament."

I wish also to ask the Prime Minister, whether he will afford me the necessary facilities for bringing on that Resolution?

MR. GLADSTONE: Sir, I perfectly understand the scope of the Motion of which Notice has been given by the right hon. Gentleman; and in perfect consistency, I think, with what I have said as to the absolute necessity of carrying forward the questions as to the Rules of Procedure, I admit that the question brought forward by the right hon. Baronet cannot be carried forward without the Government; and, therefore, I have to say to him that the very first day at our disposal—namely, Monday next—shall be placed at his disposal. Further, Sir, I have to say that my noble Friend the Secretary of State for India (the Marquess of Hartington) stated—or I mentioned on behalf of the Government last night, I forget which—that we would to-night appoint some Order for Tuesday at 2 o'clock. With regard to the Notice of the right hon. Baronet, I hope that, in the present state of Public Business, it will not be thought impertinent if I express very respectfully my desire that it shall not be discussed upon the same scale of amplitude, relatively to the importance of the subject, on which some comparatively very small matters have been recently discussed. This is of great importance. I can hardly anticipate that it would close on Monday night; but should it not close on Monday night, provided we can make arrangements for placing Tuesday also at the disposal of the right hon. Baronet, we should do our best for that purpose. I shall consequently propose no arrangement to-night for a Morning Sitting on Tuesday. Although the issue raised by the right hon. Baronet is of extreme importance, I hope I am not over sanguine in the desire that no further demand need be made on the time of the House for arriving at a conclusion.

SIR WALTER B. BARTTELOT asked, whether, if the hon. Member for Manchester's (Mr. Slagg's) Motion was negatived, the right hon. Gentleman would again set up Supply, to enable the hon. Member for East Gloucestershire (Mr. J. R. Yorke) to take the sense of the House upon the important question raised in his Resolution?

MR. GLADSTONE: If the Motion is negatived, Supply sets up itself. It does not admit of an answer from me.

CAPTAIN AYLMER asked Mr. Attorney General for Ireland, If it was the case that the Inspector General of the Royal Irish Constabulary had been called on to retire, or had been granted a long leave of absence, which would probably lead to his resignation?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): I am not aware of it, Sir.

MR. O'DONNELL: Sir, on Monday next I will ask the Premier, whether, especially since the 1st of January of the present year, any recommendation, petition, or request has been placed before the Government from any body or public authority of a non-official character in Ireland, whether elected or non-elected, ecclesiastical or civil, Protestant or Catholic, or from any public meeting, or from any Representatives of Irish constituencies, whether belonging to the Liberal, Conservative, or Home Rule Parties, in favour of a continuance of the recent policy of coercion in Ireland; whether it is the case that, outside a certain official class, there has been a general agreement of opinion in

Ireland, so far as the Government could ascertain, against the continuance of the recent policy of coercion in Ireland; and, whether it is true that the officials who supported the late Chief Secretary's recent demand for a continuance of the policy of coercion are the same officials on whose authority Parliament was assured last year that the authors of outrages were well known, and the Coercion Act would immediately enable the police to arrest them, and prevent the continuance of crime?

Mr. GLADSTONE: I think, Sir, it may meet the convenience of the hon. Member if I endeavour to answer the Question now. By a continuance of the policy of coercion, I imagine the hon. Member evidently means the prolongation or renewal of the Protection of Person and Property (Ireland) Act, and I answer in the negative. I am not aware of any application made to the Government for the renewal or the continuance of that Act. With regard to the next Question, as to the general state of opinion in Ireland on the subject of coercion, I hope the hon. Gentleman will be content, on this occasion, to treat that matter in debate, because I do not think it would be quite fair, on the part of the Government, to give their impressions upon the state of opinion in that country on a particular subject in answer to a Question, considering that answers to Questions ought to be confined as much as possible to matters of fact, or of a very definite character indeed. Then, as regards the third branch of the Question, my answer is plain and simple. I am not aware that any official persons of any kind have been parties in any matter to the proceedings connected with, and anterior to, the resignation of my right hon. Friend. What the sentiments of those gentlemen may be, I have no means of knowing. It has been altogether a transaction within the Councils of the Government, and upon the responsibility of the Government.

Mr. O'DONNELL: I beg the right hon. Gentleman's pardon; I did not refer at all to the resignation of the right hon. Gentleman. What I asked was, if the officials whose authority was quoted last year on behalf of the introduction of the Coercion Act, on the ground that the authors of outrages were well known to the police, are the same officials who have been quoted as in favour of a continuance of the policy of coercion in Ireland, without any reference to the resignation of the right hon. Gentleman the Member for Bradford?

Mr. GLADSTONE: I think that, as regards that portion of the Question, perhaps the hon. Member for Dungarvan had better give Notice, because I have not definitely in my mind the persons to whom he refers, or the quotations that have been made.

EDUCATION (IRELAND) — TEACHERS IN CATHOLIC SCHOOLS.

Mr. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that the Catholic clergy who are managers of schools do not as a rule care to employ teachers from the Government training school, and that scarcely one-third of the principal teachers in Catholic schools have had the benefit of special training; whether he will make suitable provision for Catholic training schools in Ireland; and, whether he will advise the Commissioners of Education, now that the English Code allows an assistant teacher in any school having an average of 60 pupils, to adopt the same rule in Ireland?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): Sir, I am informed that it is a fact that the Catholic clergy, who are the ecclesiastical managers of schools, do not, as a rule, employ teachers trained in Marlborough Street Schools, although, of course, it is open to them to do so. I cannot state the exact proportion of untrained principal teachers in Catholic schools; but there need not be these untrained teachers if the trained teachers were availed of. The inquiries in the two last paragraphs of this Question are matters of policy, and not of administration suitable for a reply to a Question.

STATE OF IRELAND—OUTRAGES IN KERRY.

Baron HENRY DE WORMS asked Mr. Attorney General for Ireland, If the following statement, which appeared in the "Times" of the 1st of May, is correct, viz.:—

"Outrages still continue, and are principally committed upon persons suspected of having paid their rent. On Thursday night the outhouses and a portion of the dwelling-house of Daniel Herlihy, farmer, living near Anniscaul, in the county Kerry, were burnt down, six cows were destroyed, and the inmates of the dwelling house had a narrow escape;"

and, if so, whether the Government are taking any steps to remedy such a state of outrage and intimidation?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Sir, I am informed that on the night of the 25th ultimo a detached cow-house of Daniel Herlihy, of Ballinahunt, county Kerry, was burnt down, and six cows were destroyed. An attempt appears to have been made to set fire to another cow-house attached to the dwelling-house; but the fire was observed and put out by the neighbours, and steps have been taken to claim compensation under the Grand Jury Act for malicious injury. I am informed that the inmates of the dwelling-house were never in any danger, though they had a narrow escape. One person has been arrested, and the case is to come on for hearing to-morrow. I understand that it is considered the outrage was in no way intended to intimidate Herlihy from paying his rent.

LAND LAW (IRELAND) ACT, 1881—OPERATION OF THE ACT.

MR. O'CONNOR POWER asked Mr. Attorney General for Ireland, If he can explain why the case of Mr. James Murphy, of Kilmaine, Ballinrobe, a tenant on the estate of Mr. John W. Cannon, and one of the earliest applicants under the Land Law Act, has not yet been listed for hearing? He wished also to ask, in reference to the delay in the Land Court in deciding the claims from the Ballinrobe district, whether steps would be taken to remedy the grievances complained of?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Sir, in reference to the general question, of course, I cannot give any opinion as to what the intention of the Land Commissioners may be; but, having regard to the large number of Sub-Commissioners recently appointed, I imagine that the official strength is now sufficient to cope with the cases remaining for hearing. Indeed, we have every reason for believing that it will be so. In reference to the Question as to why the case of Mr. Murphy, which was one of the earliest applications made under the Land Act, has not been sent down for hearing, I shall only state the cases are sent down from the Land Commission in the order in which they are received. Mr. Murphy's application was not received until the 12th November, and before this case was sent in there were 2,400 cases entered, of which 250 were from the Ballinrobe Union, in which Mr. Murphy's farm is situated. All I can say is, there is no hardship, and that, no doubt, Mr. Murphy's case will be taken in its turn.

LAND LAW (IRELAND) ACT, 1881—THE COUNTY COURT JUDGE OF MONAGHAN IN "JEBB v. THE EARL OF DARTREY."

MR. GIVAN asked Mr. Attorney General for Ireland, Whether his attention has been directed to a recent decision of the County Court Judge of Monaghan in the case of Jebb *v.* Lord Dartrey, being an application to fix the value of the tenant's holding under Clause 1, sub-section 3, of "The Land Law (Ireland) Act, 1881," whereby the judge fixed the price at £66, notwithstanding that a bonâ fide offer of £120 had been made by a solvent and respectable purchaser; and, whether, if the judge had such power, the Government will immediately have the clause amended, to prevent the recurrence of a similar injustice to other tenants?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON), in reply, said, he had only seen the Question on the Paper to-day, and had not yet had time to produce a report of it. If the particulars were supplied to him, he would obtain the necessary information.

MR. HEALY said, that he had a Motion on the Paper for to-night, in regard to the Land Act; and if he found an opportunity of bringing it on, he intended to refer to the case mentioned by the hon. Member for Monaghan (Mr. Givan).

STATE OF IRELAND—OUTRAGE NEAR FOXFORD.

MR. ASHMEAD-BARTLETT asked Mr. Attorney General for Ireland, Whether it is a fact that a gentleman named M'Gloin was yesterday attacked by an assassin on the high road near Foxford, Ireland, who presented a revolver at his breast; and, whether Mr. M'Gloin thereupon shot his assailant dead; and, whether it is also true that two farmers named Dunnan were, because they grazed cattle on a "Boycotted" farm, on their return from Ballaghadrin fair, set upon by a band of men and so savagely beaten that the life of one of them is despaired of?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Sir, with reference to the latter part of the Question, I have no information; and, in the absence of that information, I am inclined to think that it is only one of those sensational cases which are often appearing in the newspapers, and in which there is no truth. As to the first part of the Question, I am sorry to say it is true. I have a Report upon the subject, which I will read to the House. It states that whilst Mr. M'Gloin was driving to the Petty Sessions, at Foxford, a discharged soldier, named Patrick Jennings, came up to the cart and raised his arm in a suspicious manner. Mr. M'Gloin saw a revolver in his hand, and heard a click. He then fired four rounds from his rifle, and Jennings was killed by the fourth shot. The revolver was found in the hand of the murdered —["Oh, oh!"]—well, the dead man. None of the rounds were fired; but one of the caps was indented, indicating that Jennings intended to murder, and had attempted to fire the revolver.

IRELAND—IRISH POLICY OF THE GOVERNMENT.

MR. MITCHELL HENRY said, he wished to address a Question to the Premier, arising out of the hostile Notice of Motion that had proceeded from the Front Opposition Bench; he wished to ask, Whether, considering the measures the Government contemplated in regard to Ireland were of two kinds—one remedial and the other coercive, the Premier would consider, bearing in mind the two Notices of Motion which were given on the Liberal side of the House previous to the Notice of the right hon. Baronet opposite (Sir Michael Hicks-Beach), the desirability of dealing with these two subjects separately, in the hope that the remedial measures, if announced early, and carried quickly into execution, might prevent the necessity for further coercive measures?

MR. GLADSTONE: I can hardly suppose, Sir, that my hon. Friend the Member for Galway (Mr. Mitchell Henry) has put this Question to me in the expectation of receiving an immediate answer. I can only say now that it involves a matter of very great consequence, and that we are sensible of its importance, and do not make light of it. Probably, either in the course of the debate on Monday, or at a very early period, it will be right for the Government to give the information asked for.

PARLIAMENT — PRIVILEGE — "BRADLAUGH v. ERSKINE"—SERVICE OF A WRIT ON THE DEPUTY SERGEANT-AT-ARMS.

PRESENTATION OF PAPERS.

MR. SPEAKER: I have to report to the House that the Sergeant at Arms attending this House has a communication to make to the House.

Whereupon The SERGEANT came to the Bar, and said: Sir, I have to inform the House that Mr. Erskine, Deputy Sergeant at Arms, has received a copy of a Writ of Summons in an action brought against him by Mr. Bradlaugh, Member for Northampton, for an assault in removing him from the precincts of the House, on the 3rd of August 1881.

MR. SPEAKER: Bring it up.

Then The SERGEANT delivered in the copy of the Writ, and other documents relating thereto, which were read at the Table, as follows:—

10 and 11, Ely Place, Holborn, London, E.C.
25th April 1882.

To Henry D. Erskine, Esqre.
Deputy Sergeant at Arms,
House of Commons.

Sir,—Mr. Bradlaugh is advised that, with a view of testing the legality of your action on the 3rd of August 1881, in preventing him from entering the House of Commons, of which he was then, and is now, a Member, and in removing him from the precincts of the House, and by force placing him in Palace Yard, and preventing him from re-entering Westminster Hall, to commence an action against you for the assault in question.

We need hardly assure you that it is Mr. Bradlaugh's desire, as well as our own, remembering your position as Deputy Sergeant at Arms, to treat you with every consideration; and if, through the Law Officers of the Crown, you can propose any other mode of obtaining a legal determination of the matter than by the commencement of an Action, we shall most readily fall in with any such suggestion.

With a view therefore of enabling you to consider the matter, we have taken no action in the first instance, and we shall be obliged, after you have had an opportunity of conferring with the Law Officers of the Crown on the subject, if you will kindly inform us the determination at which you have arrived.

We are, Sir,
Your obedient Servants,
LEWIS and LEWIS.

April 25th 1882.

Sirs,—I beg to acknowledge the receipt of your letter dated this day, and have to inform you that it must be left to Mr. Bradlaugh to take such course in the matter you refer to as he may think proper.

I am, Sirs,
Your obedient Servant,
H. D. ERSKINE.

Messrs. Lewis and Lewis,
Ely Place, Holborn.

10 and 11, Ely Place, Holborn, London, E.C.
26th April 1882.

Sir,—We have to acknowledge receipt of your letter of the 25th inst. and shall feel obliged by your kindly referring us to your solicitors.

We are, Sir,
Your obedient Servants,
LEWIS and LEWIS.

H. D. Erskine, Esq.
Sergeant at Arms' Room,
House of Commons, Westminster.

28th April 1882.

Sirs,—I beg to inform you that I have no reply to make to your letter of the 26th inst. beyond this acknowledgment of its receipt.

I am, Sirs,
Your obedient Servant,
H. D. ERSKINE.

Messrs. Lewis and Lewis,
Ely Place, Holborn.

10 and 11, Ely Place, Holborn, London, E.C.
3rd May 1882.

To H. D. Erskine, Esq.,
Sergeant at Arms' Room,
House of Commons.

Mr. Bradlaugh, M.P. v. Yourself.

Sir,—We have to acknowledge the receipt of your letter of the 25th ult., and venture to express our regret that you have not referred us to your Solicitors to accept service of process on your behalf.

With a view, however, of avoiding the unpleasantness of personal service on yourself of the process of the Court, we beg to enclose a copy of the Writ in the action, and should you desire to see the original, the bearer will be pleased to produce it to you. We trust that you will now place us in communication with your Solicitors so that it may be unnecessary on our part in the future to address you personally on the subject.

For your information we may state that some two years since, we were instructed by an influential body to represent Mr. Bradlaugh as his Solicitors in reference to the Constitutional questions arising on his claim to take his seat as Member of Parliament for the Borough of Northampton, and have continuously acted as his Solicitors in the various proceedings arising out of his Elections.

Much as Mr. Bradlaugh regrets, personally, the necessity of instituting proceedings against you, he is advised that with a view of raising certain legal questions there is no other alternative open to him.

We have the honour to be, Sir,
Yours obediently,
LEWIS and LEWIS.

1882. B. No. 2,487.

In the High Court of Justice.
Queen's Bench Division.
(Writ of Summons.)

Between Charles Bradlaugh, Plaintiff, and
Henry D. Erskine, Defendant.

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to Henry D. Erskine, of Westminster, in the county of Middlesex. We command you, that within eight days after the service of this Writ on you, inclusive of the day of such service, you cause an appearance to be entered for you in an Action at the suit of Charles Bradlaugh; and take notice, that, in default of your so doing, the Plaintiff may proceed therein, and Judgment may be given in your absence.

Witness, Roundell Baron Selborne, Lord High Chancellor of Great Britain, the third day of May, in the year of Our Lord one thousand eight hundred and eighty-two.

N.B.—This Writ is to be served within twelve calendar months from the date thereof, or, if renewed, within six calendar months from the date of the last renewal, including the day of such date, and not afterwards.

Appearance is to be entered at the Central Office, the Royal Courts of Justice, London.

The Plaintiff's claim is for damages for assault.

This Writ was issued by Messrs. Lewis and Lewis, of No. 10, Ely Place, Holborn, in the county of Middlesex, Solicitors for the said Plaintiff, who resides at 20, Circus Road, Saint John's Wood, in the county of Middlesex.

The address for service is 10, Ely Place, Holborn, London, aforesaid.

This Writ was served by me at
on the Defendant
on the day
of 188 .
Indorsed the day of 188 .

Indorsed Bradlaugh v. Erskine.
Copy Writ of Summons.

Motion made, and Question proposed, "That the Communication now made to the House be taken into Consideration upon Monday next."—(*Mr. Attorney General.*)

Amendment proposed, at the end of the Question, to leave out the words "upon Monday next," in order to add the words "upon this day six months."—(*Mr. Healy.*)

Question proposed, "That the words 'upon Monday next,' stand part of the Question."

SIR H. DRUMMOND WOLFF: I wish, Sir, to ask, if the Government has not placed Monday at the disposal of my right hon. Friend the Member for East Gloucestershire (Sir Michael Hicks-Beach)? Is this Obstruction on the part of the Government? I do not support the proposition of the hon. Member for Wexford (Mr. Healy); but I must say that I think it a most monstrous thing that the Government should try to take away the only night that they have seen their way to place at the disposal of my right hon. Friend for an important discussion.

MR. GLADSTONE said, the hon. Gentleman the Member for Portsmouth did not seem thoroughly cognizant of the elementary rights and powers of the House. He seemed to forget that there were certain questions relating to the proceedings of the House, and the proceedings of its agents, which of absolute necessity took precedence of other matters, however pressing. Such a question was before them now; and, as regarded it, he (Mr. Gladstone) would at once say that his line and that of his Friends near him on that subject had been always the same. They had steadily declined to be parties to forward the Resolutions of the House on that subject to which they had thought it their duty to give a respectful obedience; but with regard to defending the servants of the House—the Executive of the House—in respect of the consequences of acts done on behalf of the House, in pursuance of their duties, they were ready to vie with any hon. Gentleman on that side of the House. It was more disagreeable to him than to the hon. Gentleman that there should be this intervention; but his belief and hope was that that question, when considered, would be found to be a question in which the proceeding before them was perfectly straightforward, and need not be the subject of debate.

SIR STAFFORD NORTHCOTE: I am convinced we have no option but to take this communication into consideration on Monday. It would be unseemly to do so at this moment, and the course proposed is strictly in accordance with precedent.

SIR WILFRID LAWSON: May I ask why this matter should not be taken into consideration at a Morning Sitting to-morrow?

Amendment, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Communication to be taken into Consideration upon *Monday* next.

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

POST OFFICE — POSTAL COMMUNICATION (ADEN AND EAST AFRICA, &c.)

RESOLUTION.

MR. SLAGG, in rising to call attention to the African Mail Contracts, their relation to the Slave Trade, and to the commerce of the United Kingdom with the East Coast of Africa and Zanzibar; and to move—

> "That it is important to the commerce of the United Kingdom, and for the supplanting of the Slave Trade, that steps be taken by the Government to maintain and extend the existing postal facilities between Aden and East Africa, and also to secure similar communication with the Red Sea ports,"

said, he had no doubt that such an austere economist as the Postmaster General would have a great deal to say on the subject of pure political economy and unrestricted competition, and would, therefore, no doubt, have occasion to point out that if they continued the subsidies hitherto granted in the African mail contracts, they would discourage other systems; and he would, no doubt, argue that if they subsidized one line of packets, they would thereby prevent other lines from adopting the same route. He (Mr. Slagg) hoped, however, to be able to show that this was more than a question of political economy; and, further, that the subsidy, which was now, he believed, about to be abandoned, was not instituted purely from a postal point of view, but for other considerations very much more important. He thought he should be able to show that the object for which this grant was made had been, in a large degree, attained, and that it would be, to a very large extent, the undoing of their past efforts for the destruction of the Slave Trade on the East Coast of Africa if they now discontinued the grant. The subsidy chiefly in question was one of £10,000, granted to postal service between Aden and Zanzibar; and when it was given in 1872 it was expressly stated that the object of the Government was partly to discourage the Slave Trade by opening out commercial relations, and thus extending our influence in a country in which the Slave Trade predominated. The commercial object had certainly been, to a large extent, attained, for the trade in that region had now become very important. The imports into Zanzibar in 1859 amounted only to £549,000; in 1879 it was £709,000; but the most remarkable feature of that trade was that it was almost entirely British. Through the influence, to a very large extent, of the line of steamers subsidized by the British Government, they had been able to beat all competitors in that large market, and were in a fair way of possessing it nearly entirely for their own traders. Zanzibar was on the direct route to South Africa, and was on the line of communication with India and Australia, and so, as a postal station, its importance could not be over-rated. When this line of steamers commenced the total postage receipts only amounted to £5, whereas more than £2,000 was now received in postage by this line alone. It might be said that a large portion of the sum went to India; but that was surely a matter which was not of much consequence. With regard to the Slave Trade, he felt thoroughly justified in saying that the enormous reduction which had lately taken place in the slave traffic on the East Coast of Africa was almost entirely due to the steam service to which he was alluding. That reduction had been coincident with an enormous increase in the legitimate trade on that coast. There was no greater enemy to the Slave Trade in any part of the world than the introduction of commerce and the growth and stimulus of trading enterprize. If we withdrew this steam service we might assure ourselves that all the enormous expenditure that we now lavished upon men-of-war upon the East Coast of Africa would be comparatively useless, if not supplemented by the information which travellers and passengers gave on the subject of the Slave Trade. The details which they brought under the notice of the public, with regard to that traffic, did more for the suppression of it than all the men-of-war we could employ in such service. If we abandoned this Postal Service some other line of steamers would possibly take its place; but he was sure the work would not be performed as regularly and as efficiently as it was now. The trade was of too delicate a nature at the present moment, and in too early a stage of development, to admit of any tampering with it, and the mere chance of another steamship line taking it up was a feeble hope to rely on. The work would probably devolve on a French line of steamers, and one point to which he gave special prominence was the danger that the trade would fall into alien hands. If the French got it they might be sure they would take every possible means to keep the trade to themselves. Articles of merchandize and exchange had been brought down to the coast to be shipped in these steamers, and this had increased the wealth of the inhabitants, and given them a further desire and appetite for legitimate luxuries, and a stimulus to commercial ambition. Our French neighbours sought, with relentless zeal, to extend their commercial and their political influence in any part of the world. He thought it would be a very great misfortune if our political influence on the East Coast of Africa were taken from us. It was important, not only commercially, but also with reference to the suppression of the Slave Trade. The French were by no means such advocates of the suppression of the Slave Trade as the British people. He believed it would not be much beyond the mark if he said that we expended £500,000 every year in our efforts to suppress the Slave Trade on the East Coast of Africa. Without the goodwill of the Sultan of Zanzibar that expenditure would effect little. In 1876 the Sultan of Zanzibar was, with much difficulty, induced to use his endeavours to stop the export of slaves. It was a great personal loss of revenue to him; but it was pointed out that efforts would be made to develop his commerce. Those efforts had proved eminently successful, and the revenue of the Sultan had been more than doubled by the new commerce introduced into his territory. The Sultan had done that for the suppression of the Slave Trade which no Naval Force could possibly do, and at the risk of loss to himself. What was the alternative if this subsidy was abolished, and the line of steamers ceased to run? He was told it was intended to provide a yacht, or despatch boat, to be used by our Agent in visiting the various ports in relation to the Slave Trade; and he wished to compare the cost of this with the £10,000 we were paying to the line of steamers which carried the mails. We could not get a vessel for less than £5,000 to £7,000, and could not run it efficiently for less than £7,000 or £8,000 a-year. Then it would not be as regular in its visits as the present steam packets; and he saw no other alternative but an increase in our Squadron on that station to deal with the Slave Trade, and with no great prospect that it would be successful in its object. As an instance of the success which had been attained by a subsidy of this kind, he might refer to the line of steamers running in the Persian Gulf. Before that line was established piracy and slavery were rife, and there was no commerce worthy of the name. The rich natural advantages of the district were almost entirely unused; and although it was a region which might have been made enormously conducive to British commerce, it was almost an unknown land until 1860. Then the total tonnage on the Gulf was 10,000 tons, and now 15,000 tons of steam shipping alone annually visited one port on the Gulf, whilst the trade was of immense value, and had a great future before it. No one could dispute the fact that it had been created and fostered by the maintenance of the steam traffic. No one would quarrel with the Treasury if it were a little in advance of public opinion in the matter of economy, so long as it did not economize in the wrong place. A small sum given for such useful and obviously advantageous purposes as he had indicated was the worst specimen of economical work the Treasury could produce; and he hoped to induce the Government to abandon the idea of saving the small sum now given to this line of steamers. We could not in this country afford to lose markets. There was an enormous production from our industries, and manufacturers were sometimes at their wits' end where to send their produce; and it would be a most ill-advised step on the part of the Government to endanger, in the slightest degree, the markets to which he had alluded. He spoke not only for Manchester, but for every industry throughout the country, which were all concerned in finding a market for their products, and in receiving something in return. But he spoke also in the name of humanity in asking for the continuance of a subsidy, which had been successfully expended in largely reducing so shameful a traffic as the Slave Trade. The hon. Gentleman concluded by moving the Resolution of which he had given Notice.

MR. ARTHUR ARNOLD, in seconding the Resolution, remarked that he and his hon. Friend together represented by far the largest commercial community gathered in one centre in the Kingdom; and he himself had had some observation of the trade routes referred to. In general terms, the Resolution was one in favour of the extension of British freedom and British commerce, and it was on those grounds that he supported it. It was unnecessary for him to disclaim any leaning in the direction of Protection; but he would point out that in France subsidies were given, not only for shipbuilding, but for navigation. While not advocating such a practice in this country, he thought that the maintenance and extension of postal facilities in those distant regions was a proper object for a subsidy. The peculiar value of a Postal Service was that it was regular, and traders could rely upon it; and there was a very important difference between a postal subsidy and one given in the shape of bounty upon navigation. A postal subsidy should never be given where independent vessels were or were likely to be engaged in the same trade. He would never say a word in that House in favour of giving a postal subsidy where a regular line of packet communication would be carried on independently. Upon the subject of slavery it was important to notice that the French Marine, which claimed full power of repression and interference, had a fitful character about it. Her Majesty's Service had lately lost a brave and zealous officer—Captain Brownrigg, whose death was due to punctilious observance of the rights of the French flag, which led to his not carrying arms on that occasion. The French did not maintain a sufficiently strong force to support their claims; therefore it was not right that they should require the commanders of British ships to forego the search of vessels carrying the French flag. He placed great value on the regularity of the Postal Service; and he was satisfied, from personal observation, that it was the most efficient means of promoting commerce in remote regions of the world. The district of Zanzibar, to which his hon. Friend had alluded, was, at no distant time, a part of the Dominions of the Sultan of Muscat; and that important centre of British trade, Aden, was now, as it had long been, the great place for the interchange of the traffic coming from Central Asia, and passing partly down the Coast of Africa, and partly through the Suez Canal. It was a fact that the commerce of a country generally followed the nationality of the ships engaged in the trade. There was a French proposal on foot for a French line of steamships to be started on the East Coast of Africa, and to be largely subsidized by the Sultan of Zanzibar. The Sultan might be induced to take that course from various motives; and he hoped that the diplomacy of the Foreign Office would be exercised to preserve our influence, at least in a position of ascendency, in the Dominion of the Sultan of Zanzibar. The French Mercantile Marine, aided by its bounty system, had lately established, not a regular, but a fitful service of vessels in the Persian Gulf; and a Frenchman who had been long resident in Teheran had obtained from the Shah of Persia a concession for the exclusive navigation of the only river in Persia which was navigable. Neither his hon. Friend nor himself asked for any favour; but they had a very strong objection to anything like exclusive concessions. The Postmaster General was aware that in consequence of the withdrawal of the postal subsidy the Union Steamship Company had lately abandoned their service from the Cape to Delagoa Bay. That might or might not be a matter of importance; but it was essential, in regard to these questions of subsidy, to ascertain whether the Service would or would not be abandoned if the subsidy were withdrawn. He was strongly of opinion that the interests of this country had been largely, and were at present very greatly, promoted by the assistance which was given by the Post Office. As an illustration of the possible development of trade he might mention that in 1880 grain to the value of £86,000 was actually imported into a Persian port, whilst in a Persian province not very far distant, to which, however, there was no means of communication, wheat was plentiful; and Major Napier, son of Lord Napier of Magdala, who was travelling there in 1876, estimated the supply of surplus wheat alone, within easy distance of the port above referred to, at 80,000 tons, and he stated in his Report to the Government of Bombay that it was being disposed of at 15*s.* per ton. Only the other week Persian wheat of inferior quality was being sold in the London market at no less than £8 5*s.* per ton. He mentioned this to show how extremely important it was, in the interests of this country, that by regular service of ships we should develop intercommunication and the exchange of food products between other countries and ourselves. Navigation had already so much progressed in the Persian Gulf that within the 10 years since the opening of the Suez Canal the steam traffic had increased from 3,000 tons to 80,000 tons, and was capable of still further development.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is important to the commerce of the United Kingdom, and for the supplanting of the Slave Trade, that steps be taken by the Government to maintain and extend the existing postal facilities between Aden and East Africa, and also to secure similar communication with the Red Sea ports,"—(*Mr. Slagg,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. J. HOLMS said, he considered the tone of the speech of his hon. Friend the Member for Manchester (Mr. Slagg) one of great moderation, and he had put the case very clearly and very well. At the same time, he had only dealt with one part of the question. The African Mail Contract was really divided into two portions. One portion was that which provided for the carrying of mails between Aden and Zanzibar, while the other portion provided for carrying the mails between the Cape and Zanzibar. He would remind his hon. Friend that this question was discussed at great length in the year 1873, and it became the subject of investigation by a Select Committee. At that time he doubted very much if the House of Commons would ever have sanctioned the two contracts that were entered into, if it had not been, to some extent, that the Government of the day had already made certain arrangements. It was within the recollection of the House that in 1873 the proposal was to give a subsidy to that service which was now under discussion—namely, to the British India Steam Navigation Company for conveying the mails from Zanzibar to Aden. The other portion of the contract, for conveying mails from Zanzibar to the Cape, had been arranged for by what was given to the Union Steamship Company. If the House assented to this Resolution, it could not, in his opinion, withhold renewing the subsidy with the Union Steamship Company, which expired in February, 1881. In 1873, when this question was discussed, the policy of the Government was to establish those steamships all along the coast for the purpose of putting down the Slave Trade. The whole coast was regarded as being in the same condition. The distance from Zanzibar to Aden was 1,700 miles, and to the Cape 2,500 miles. The two Companies between them agreed that the services were alike, and that the one should receive £10,000 and the other £15,000. As he had said, evidence was taken at the time before a Committee in order to prove what he had asserted—namely, that the Northern portion—that was, from Zanzibar to Aden—was quite as profitable, and was looked upon as being quite as valuable. He asked the House to go with him back to the position in which they were in with relation to the contract which had expired—namely, that with relation to the Union Steamship Company, which expired in 1881. When it expired that Company asked it to be renewed. The Government could find no reason for the renewal of that contract, and upon these grounds—the one was that a rivalry had arisen which had given a very good and substantial trade between the Cape and Natal, at all events, if not so far as Zanzibar, and the other reason was that at the first, when the subsidy was given, it was mainly for the purpose of maintaining a communication from port to port by steamships; but in 1873, from the exigencies arising owing to the war in Zululand, telegraphic communication was established, and telegraphic communication was, of course, more speedy than ordinary steamships could possibly be. The result, of course, was that there was no case whatever for continuing that subsidy, and it came to an end. No complaint had been made. On what ground, then, could his hon. Friend for a moment expect that the Government was to give or continue a subsidy of £10,000 a-year from Zanzibar to Aden, more especially when they found that trade had developed, as his hon. Friend had said, to such an extent that they might now fairly expect, not only rivals from our own country, but from foreign countries? Sir John Kirk, British Consul at Zanzibar, was in favour of subsidies generally; but he had expressed the opinion that steam communication between these ports would not cease in the absence of subsidies. The position in which matters stood now was that this subsidy came to an end at the end of this year, and if they were to agree that that subsidy should be continued, the Government could not see why they should not also re-establish the subsidy which ended in 1881. For these reasons he trusted the House would not consent to the Resolution of his hon. Friend.

MR. R. N. FOWLER pointed out that we had at the present time no line of steam communication between the Cape and the Red Sea. He had not a word to say against the French taking up the traffic, except that the French did not look upon the Slave Trade in the same way as we did. It was, therefore, worth while to consider whether we could not make a small pecuniary sacrifice in order to put down that traffic. He was glad to observe a great diminution in it during the last few years, the number of slaves having fallen from 12,000 to 4,000, thereby raising the condition of the slave and making his labour more valuable. It was the duty of the Government to endeavour to discourage the practice of slavery as much as possible; and the presence of steamers running up and down the coast would enable them to give information to cruisers on the look-out for slave ships.

SIR HARRY VERNEY said, there was no subject more interesting to the House than the great Slave Question; and he supported the Resolution before the House on the ground that a regular communication of postal steamers was one of the most civilizing influences to which a country could be subjected. The development of civilization in Africa was a matter of the highest moment to this country, whose manufactures would rapidly find their way into the country as soon as any progress in civilization was made. The way to put an end to the Slave Trade was to convince the Rulers of the interior of Africa that they could do better with their subjects than by selling them; as soon as you convinced them of that, the trade would cease. He supposed that he was the only Member of the House left who voted for the extinction of the Slave Trade in 1834, and the only Member who had been on board slave ships and seen the living slaves side by side with the dead. If hon. Members could only have seen the horrible sights that had met his view on those vessels they would be as anxious for a vigorous effort to be made for the extinction of the abominable traffic. It was due to the Christian character of our country that we should extinguish slavery; and he trusted the Government would use their best efforts in that direction. He was also one of those who lamented that some notice was not taken of this question of the Slave Trade at the Congress of Berlin, as he believed that a very great deal might have been done by the concurrence of the Representatives of the various Powers upon that occasion.

SIR JOHN KENNAWAY was extremely glad to hear the statement of the hon. Member for Hackney (Mr. J. Holms) as to the great impulse which had been given to trade along the East Coast of Africa. That trade would prove a most important means in killing the traffic which had been carried on there. He had been a Member of the Commission which sat in 1871 for the purpose of investigating the subject. The late Mr. Russell Gurney was Chairman. At that time there was no postal communication with Zanzibar at all; and one of their recommendations was that a small subsidy should be given for a small steamer to run periodically between Seychelles and Zanzibar, as it was quite impossible that trade could be maintained and extended without means of communication. A great improvement had taken place since then in that matter; and though it might be true that the steamers were self-supporting, they could not be sure that, in the absence of a subsidy, it would not be necessary to withdraw them, in which case we should lose the advantage we at present possessed. If, however, it could be proved that there was no danger of the steamer ceasing to run, even if the subsidy were discontinued, he saw no reason why it should not cease.

MR. ARTHUR PEASE said, there were cases in which it was impossible for private individuals to establish lines of communication between points of business. If, therefore, it were found that the steamers could not be maintained, he advocated the granting of a subsidy for that purpose. It was quite possible that, in estimating the probability of the continuance of these steamers, notwithstanding the withdrawal of the subsidy, agreements made between this country and Egypt had been taken into account. Now, those agreements had not been faithfully carried out. The Convention which Egypt had entered into with this country in 1877 with regard to the Slave Trade had not been faithfully carried out by the Egyptian Government, and now the Slave Trade was flourishing up the Nile. Avarice and covetousness were the leading incentives to that trade in human beings; and he might multiply evidence to show that, in spite of the Convention with Egypt, a very large Slave Trade was being carried on, and that a large proportion of the slaves were carried across the Red Sea into Arabia and the adjacent parts. A great preventive of the Slave Trade would, he believed, be found in the passing of information and bringing the matter before public opinion. He was glad, therefore, that our Government had arranged to place a Consul at Khartoum, and that before long another would be stationed at Massowah. Where the Slave Trade was engaged in, other trade would not flourish, and it should be a great object to substitute for it legitimate commerce. The trade of the Sultan of Zanzibar had doubled, the people were now more happy, and those who previously carried on slave-hunting raids had settled down to the production of india-rubber and other articles of commerce. The trade from Zanzibar in india-rubber alone amounted to £200,000 a-year. Under these circumstances, what ought to be the policy of the Government? It was unwise to economize in matters which would tend to foster our trade while promoting the cause of humanity. He hoped that the Government would take up afresh the question of the Slave Trade in Egypt, and would impress on that country the duty of carrying out the Convention on the subject. They ought to take every opportunity of obtaining certain information as to what was passing in the regions where that nefarious traffic prevailed, and to use every effort in their power to put an end to a scourge which had too long existed, to the degradation of Africa and the humiliation of mankind.

MR. ECROYD said, he believed that no movement for the suppression of the Slave Trade could be wisely and patiently conducted without laying the foundations of future commerce for this country; and he expressed the great pleasure with which he, in common with other hon. Members, had heard the few remarks of the venerable and highly respected Baronet the Member for Buckingham (Sir Harry Verney). There were cases in which expenditure, while small in amount, was of an extremely important character, and this was an instance of that description. In this matter they could not separate commercial from philanthropic interests, because it was impossible to open out trade in countries like East Africa without, at the same time, promoting the interests of civilization, Christianity, and humanity; and, on the other hand, efforts to suppress the Slave Trade laid the foundations of commerce tending to enrich this country. He believed we could not drop any part of our remaining means of postal communication along the Coast of Africa without lessening the possibility of suppressing the Slave Trade; and he feared we had already gone too far in withdrawing the small subsidies which insured regular communications that were highly valuable in enabling us to keep a watch upon the Slave Trade, and to extend our commercial intercourse. He, therefore, ventured to hope that the Government would see their way to continue that very small postal subsidy. It was never more necessary than now to endeavour to increase the demand for the products of British industry in parts of the world which were not civilized, and which were not themselves likely to manufacture. He trusted, therefore, that they would see a distinct forward movement in the opening out of markets on various parts of the Coast of Africa, and in the interior of that Continent, and that the Government would extend its aid by granting and maintaining such small postal subsidies as might be necessary. In advocating that course, he felt he was acting consistently with the interests even of the most needy of our working population, the insuring of whose continued employment was a matter of vital moment.

SIR DONALD CURRIE said, that the non-fulfilment by the Khedive of Egypt of the Convention in respect to the Slave Trade had nothing to do with the Motion of the hon. Member for Manchester. He sympathized with the other hon. Members in the desire to take every measure possible for the suppression of the Slave Trade; but, from a practical point of view, all they had to look at now was whether the means proposed to be adopted could serve the end in view. The hon. Member for Whitby (Mr. Arthur Pease) had just stated that there was a large increase in the traffic in slaves between North-Eastern Africa and Egypt, over the Red Sea, and with Arabia. The hon. Member said the traffic passed the Red Sea; but that traffic had nothing whatever to do with the Aden and Zanzibar route. If the hon. Member meant that there should be a subsidy given to the steamers touching at the ports on the Coasts of the Red Sea, in order to prevent the transport of slaves from one part of the Sea to the other, he begged to give it as his opinion that no such subsidy should be allowed, for the simple reason that there were hundreds of steamers regularly passing up and down the Red Sea, and calling at these ports, serving the commercial purposes which the hon. Member for Salford (Mr. Arthur Arnold) desired should be stimulated; and to subsidize one line and not the other lines would be unfair. The hon. Member for Whitby could not mean that the slaves pass the mouth of the Red Sea to Aden; but Arab dhows did leave the North-East of Africa for the Persian Gulf, just as there had been a large traffic in the Mozambique Channel. A subsidy given to the Aden and Zanzibar line would not be sufficient for the prevention of slavery on the Eastern side of Africa. They must extend the subsidy to the service of steamers between Zanzibar, Mozambique, Delagoa Bay, and Natal—such a service as was established in 1873, at the same time as the Government gave the contract to the British India Company for the line between Aden and Zanzibar. Now that that service between Natal and Zanzibar had ceased — the Government having withdrawn the subsidy—the subsidy to the Northern portion of the East African Service ought to be witdrawn also, or else the Government should subsidize the lines on the Northern and the Southern Coasts of East Africa. But the question was, would this put down the Slave Trade, or assist in putting down that trade? He ventured to think that a steamer calling once a month at Mozambique or Quillimane, where some slave operations had been carried on, could not have any real effect in terminating the Slave Trade in those quarters. The only argument in favour of the service was that the service had a postal object, or stimulated commerce. From a postal point of view, then, what had been the expense to the country? The Postal Service between Natal and Zanzibar and Aden had cost the country £260,000 since 1873; and the whole revenue which the Post Office had derived for the whole of that period did not exceed £5,000. There was, therefore, no argument, from a postal point of view, in favour of the continuance of such a subsidized service. What was the advantage which a Steamboat Company had in carrying on commercial intercourse, except the development of commerce along the East Coast of Africa? The commercial aspect of the question had been touched upon, and might be estimated in this way. Up to last year the Zanzibar traffic was divided between the Union Company, carrying it South round the Cape to England, and the British India Company, carrying it North to Zanzibar *via* Aden, the Red Sea, and the Suez Canal; and those two trades, as was expected when the contracts were taken, had largely increased, and there was sufficient encouragement for private steamers to run in these regions. When those two Companies divided the contract between them by a private bargain, and when the Government of the day failed to put the contracts up to public competition, as they should have done, the House of Commons appointed a Committee of Investigation. That Committee condemned the contracts which had been extended by the noble Lord, now in the Upper House, who was then Chancellor of the Exchequer. The original amount of the contract was £25,000, and that was increased to £6,000 a-year for eight years to one of those Companies, making up for the disappointment they had sustained in not getting the monopoly of the mail contract. But as the Union Company lost their mail contract from Zanzibar to Natal last year, the British India Company now enjoyed a monopoly of the Zanzibar traffic *via* Aden and the Red Sea, and this should be more than equal to the subsidy they had lost. But he repeated that if the Government were to continue the service between Aden and Zanzibar, either for trade purposes, or for the suppression of the Slave Trade, or for postal facilities, then he must insist that the contracts must be for a line or lines girdling the whole East African Coast from Natal as far North as to Zanzibar. But, in his view, it was not necessary to go to that extent, and therefore he could not support the proposal of the hon. Member for Manchester.

Mr. BUXTON said, he hoped the Government would, to some extent, meet the hon. Member for Manchester (Mr. Slagg). No doubt, there was a growing British trade in the Red Sea and along the East Coast of Africa, and some indication of the probability of this was furnished by the fact that the revenue of the Sultan of Zanzibar had doubled since he abolished the Slave Trade. Considering what the useful products of the region were, our trade was sure to be increased by additional postal facilities, and still more by the suppression of the Slave Trade; because wherever that was carried on there existed a hatred of the British flag, which was fatal to the development of our commerce. If the Government could not accede to the Resolution as it stood on the Paper, he hoped they would give some assurance that the subsidy would not be entirely dropped, unless they had good grounds for believing that the mail service would be continued.

Mr. FAWCETT said, observations had been made by hon. Members on both sides in reference to the Slave Trade, and he need hardly say that the remarks of the hon. Member for Buckingham (Sir Harry Verney) were received with universal sympathy on both sides of the House. The Government would yield to no one in their desire that nothing should be done to increase the Slave Trade; but the House would expect him to discuss the Motion simply from a purely postal point of view. Regarding this simply as a Post Office question, it was impossible to justify the continuance of the subsidy at the present amount. The whole amount of the postage between Aden and Zanzibar was not more than £500 a-year, and we received only £200 towards a subsidy of £10,000, the Indian Government taking £300 towards the expenses to which they were subjected. It would be obvious to anyone that the trustee of a branch of Public Revenue could not be justified on economical or other grounds in an expenditure of £10,000 for a yield of only £200. Sometimes it was said there was a great deal of money at the Post Office; but there were a great many improvements to be carried out, and he could show many desirable improvements which would be of great public advantage that could not be carried out for want of money. If the Post Office went on the plan of spending £10,000 for £200, the want of money would rapidly increase. It was said, however, that the expenditure in question was to be regarded, not as Post Office expenditure, but as outlay for the encouragement of trade and the suppression of slavery. If that were so, the House ought to come to a distinct understanding on the subject, and Post Office revenue should not be used for one purpose when it was meant to be used for another. If we were to spend money for the promotion of commerce or the suppression of the Slave Trade, the Foreign Office or some other Department ought to be responsible for the expenditure, and it ought not to be put down obscurely as a postal subsidy. A postal subsidy was only justified when without it it was not possible to obtain a regular postal service, and when it did not involve a larger expenditure than was justified in the circumstances of the case. Every sixpence that went beyond this launched us on a boundless sea of expenditure in the encouragement of trade by public money. If we accepted the idea that it was desirable to spend postal revenue in opening markets when there was a glut of goods in England, where were we to stop? We might spend public money in this way in every quarter of the world; but in doing that we should be following the steps of those countries which had adopted the unfortunate course of promoting the enterprize of their citizens by the fatal gift of State aid. It would be asked—"Have you grounds for believing that if this subsidy were discontinued, there would be a sufficiently regular and a sufficiently good postal service between Zanzibar and India?" The whole subject turned upon that. When the case was submitted to him, it seemed to him that the grounds were very strong for arriving at the conclusion that without the subsidy there would be a regular and a sufficiently good mail service. In this night's debate, however, men of greater commercial experience than he could claim for himself had positively asserted that without some subsidy it was vain to hope for the establishment of a regular postal service; and, therefore, in deference to these assertions, but without pledging himself to a change of opinion, he was willing to give the subject his renewed and candid consideration. He should be very glad to have evidence and information laid before him by his hon. Friends the Members for Manchester, Salford, and Preston, or by others who had gone into the question. If they succeeded in convincing him that it would be impossible to look for the maintenance of a regular postal service to those countries without a subsidy, although he should not feel justified in recommending such a large sum as that which was now demanded, he would recommend to the Treasury that, opening the contract to free competition, a smaller subsidy should be granted if it would secure a regular service. He hoped that assurance would be satisfactory to the House. In conclusion, he wished to express his belief that postal subsidies did not in reality encourage trade. In certain exceptional circumstances they might be inevitable, but at best they were painful and unpleasant necessities; while the consequence of granting them unnecessarily was that public money was used to defeat competition. On behalf of the Government he could not accept the Amendment; but he repeated, that there might be no mistake, that the subject should have his careful attention.

Mr. SLAGG, in reply, observed, that his only object in asking for a subsidy was to insure that the postal service to the places mentioned in his Amendment should be regular, and not intermittent, and he should be glad to see this effected in the most economical way possible. He had every reason to believe that a subsidy was necessary; but he accepted the assurances by the Postmaster General to the effect that the matter should have his future careful consideration, and asked leave to withdraw the Amendment.

Question put, and *agreed to.*

Main Question proposed, "That Mr. Speaker do now leave the Chair."

EDUCATION DEPARTMENT—SCHOOL BOARD RATES.

OBSERVATIONS.

Mr. J. R. YORKE, who had the following Resolution on the Paper:—

> "That, having regard to the unfairness of the incidence of School Board rates, and the continual increase in their amount, some change in the system under which they are at present levied is urgently required,"

said, he regretted that, owing to the Forms of the House, he should be unable to move his Resolution. He would, however, remind the House that just before the beginning of the Session an influential deputation, representing the various Chambers of Agriculture, had waited upon the Chancellor of the Exchequer, and had laid before him the grievances from which they conceived themselves to be suffering. With respect to this particular question of rates, the right hon. Gentleman had assured them that—

> "The subject was receiving the careful and laborious attention of the Government;"

and had added that—

> "Of course, the time was near at hand when it would be the duty of the Government in a practical manner to submit their views to Parliament."

Encouraged by those words, the representatives of the ratepayers had confidently looked forward to the time when the long-promised, but long-withheld measures of relief should be introduced; but the right hon. Gentleman had said in his speech on the Budget that the consideration of them was postponed. What were the views of the framers of the Act of 1870 with regard to the rate that would be laid on the ratepayers? The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) said that practically the Bill provided for a rate not exceeding 3*d.* in the pound, and that that rate would be rarely exceeded. The right hon. Gentleman at the head of the Government mentioned 3*d.* as the maximum. But the strongest expression of the impolicy of laying on heavy rates for the purpose of education was made by the Home Secretary, who concluded by saying that if failure should result from the odium that would be excited by the pressure of local taxation, he should have the satisfaction of feeling that he was not responsible for that failure, as he had striven to exclude from the Bill a principle which would make it unworkable. He trusted, therefore, that he should have the right hon. and learned Gentleman's support in affirming the Resolution he had to lay before the House. "*Fas est et ab hoste doceri;*" and so he might quote the hon. Member for Bedford (Mr. J. Howard), who, in a lecture the other day, although he applied the very strongest words to what might be called the "local taxation party," admitted that in the particular matter now under discussion they had a very substantial grievance. He had quoted the opinions of the framers of the Act of 1870 to the effect that a rate of 3*d.* in the pound would be the maximum, and would rarely be exceeded. Well, in 1878 there were 102 parishes outside boroughs which paid 1*s.* in the pound, and in 1879 there were 136. In 1878 there were 658 which paid 6*d.* and upwards, and in 1879, 739. The 3*d.* limit had been exceeded in 85 per cent of the parishes in which the rate was levied; so that there was a sufficient contrast between the anticipations of the framers of the Act and the result. The 250,000 farmers of England who inhabited school board parishes did not pay, like other people, on their houses only, but on the rateable value of their farms—that was to say, on a sum enormously exceeding the value of their incomes. These unfortunate men paid not only on the value of their houses, but upon the rateable value of their land—that was, their machinery. The present system was working in country places, he might say, tyrannically and oppressively. The working classes had the absolute power of disposing of the money of the other classes in the parish, while they themselves contributed a very small amount. But if this were to be done, let the education be confined to elementary education; let them not call upon the ratepayers to pay for providing educational luxuries. He did not think the public generally were aware of the proportions in which the education expenses were now borne by the three different sources—namely, school fees, grants, and the rates. The hon. Member for Northamptonshire (Mr. P. Phipps), who was absent through an unfortunate accident, had calculated that the proportions were as follow:—Out of 100 parts, 20 per cent came from the Imperial Revenue, 14 from children's fees, 2 per cent from endowments and other small sources, the remaining 64 being levied from the rates. The widest dissatisfaction prevailed as to the system now in vogue, and it was not to be supposed that grievances of this magnitude would long remain undiscussed. One suggestion was that a county area should be selected, something on the model of his right hon. Friend's Bill relating to Roads. Another suggestion was that it should be laid on Imperial taxation. That was, he thought, a favourite remedy; but he did not think the present moment was a very favourable one for endeavouring to introduce this change. There was a cry of dissatisfaction at the amount of the grants which had been made from the Imperial taxation in aid of Education. It was, perhaps, the most lively branch of expenditure that existed in the Civil Service Estimates. He found that the Education grant had grown from £840,000 in 1870 to £1,566,000 in 1875, to £2,128,000 in 1877, and to £2,979,000 in 1881. They might call it £3,000,000. Then there was the further objection to this proposal that it would be the deathblow of the voluntary system—a system which he did not wish to see destroyed. He then came to this suggestion—could they not let inhabited houses pay the education rate? It was proposed that for the future the same description of building should be chargeable with the education rate that was now liable for the house tax, except that houses under £20 would not be exempt. This, of course would exempt offices, business premises, farm lands, and so forth. The principle which he advocated was that those who benefited should pay—in other words, that the area of benefit should be coterminous with the area of burden. The farmer paid more than formerly for the education of children, and, in addition, he lost their services. Consequently, he was greatly damnified. It might be said that the farmer, after all, was a citizen, and that he benefited by the gradual improvement in the mental and bodily characteristics of the population which was the result of extended education. In the character of citizen he, no doubt, benefited, but in the character of farmer he suffered; therefore, he should pay in his capacity of householder, and not pay upon his land. A three-fourths exemption from the school board rate ought, at least, to be allowed in the case of land. There were precedents for this. There was an exemption of three-fourths in the case of land from the general district rate in urban districts, and land was exempted to the extent of two-thirds under the Libraries Act. By the system which he supported a larger rate would be levied in the country on the mansions of the gentry. The squire of a parish would be the greatest sufferer, because he would pay on his own house and on his cottage property as well. The tenant farmer would be a gainer, because he would pay on his house, instead of on his land, and the clergyman of the parish would also be a gainer. If the new rate should prove insufficient, it might be supplemented in case of need by the old one. It might be said in objection to his views that in a parish where there was a school board, there might be a large manufactory, a large mine, or something of that kind, but that the employer of the people who worked in such an establishment might live in the next parish where there was no school board, and would thus escape from a heavy contribution to the rates. In the Forest of Dean there was a large number of parishes of that kind. That was a difficulty he admitted; but how long was the school board likely to remain within the parochial area? That was an anomaly that was created by the Act of 1870. It was evident that there was only one unit which could be adopted by the Government, and that was the Union. Therefore, that objection, although it might have some immediate value, had no permanent force whatever. The moment was opportune for such a change as he urged, because an election of school boards would take place next autumn, and we would not have to wait until 1885 before the reform he advocated was put in force. In conclusion, he would say to his right hon. Friend the Vice President of the Council—

> "Si quid novisti rectius istis,
> "Candidus imperti; si non, his utere mecum."

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. PELL said, that, while disclaiming any intention of saying anything that would have the effect of discouraging the good work of education, he felt it his duty to call the attention of the House to the fact that the country people did consider that they were called upon to bear an undue proportion of school board rates.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. PELL said, that his hon. Friend's Motion was wholesome and sound in principle, and, therefore, he should be glad to see the House accede to it. He did not go so far, however, as his hon. Friend in the desire to see the land exonerated. He thought the owners of "naked land," with no buildings on it, ought to contribute to the funds for education; but this was a different thing from charging the occupiers of land in the same manner as the occupiers of houses. Nothing had grown so rapidly as the school rate in its dimensions, and it had been accompanied by a still more startling increase in loans.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. PELL, on resuming, said, the school rate had increased six times in amount between 1874 and 1880. The loans in respect of the School Board had risen from a little over £1,000,000 to close upon £13,000,000. Yet the School Board fees, which in 1876 produced £122,000, had only risen to £335,000 in 1880, in spite of the increase of the population. He believed that any measure which brought the charge for education nearer home to those who benefited by it would be an honest and a sound measure. It was a well-known fact that in certain districts the proper incidence of the charge had been avoided by a bye-law setting forth that the district was too poor to pay the ordinary rate; and he himself knew of cases where the same child, whose fee had on account of poverty been reduced to 1*d.*, had paid to the savings-bank officers from 10*s.* to £1 at a time. Were not such proceedings as that calculated to demoralize the parents? He felt sure that the question raised by the hon. Member for East Gloucestershire was one of considerable importance, and one which deserved the serious attention of the House.

Mr. BROADHURST said, in his opinion there were two objects in bringing the Motion before the House—one was that it should act as a little bait, thrown out in order to obtain the farmer's support; and the other as a little relief, to be given to the poor landlords. If it was intended to give any benefit to the farmers, he congratulated that class on the service which the opposite side had given them, because the few hon. Gentlemen sitting in that part of the House had made a tremendous effort to get to the door before the Speaker could count them. Scarcely a single borough Member on the other side had remained in the House to defend the educational establishments of their constituents. The great merit of the speech of the hon. Member for East Gloucestershire (Mr. J. R. Yorke) was its simplicity and frankness. He owned that the object of his Motion was to throw the whole of the educational rate on those who were least able to meet the demand; and his great argument—and he seemed to think it perfectly unanswerable—was that those who received the benefit from the education rate should be the people, and the only people, who should be called upon to pay it. He (Mr. Broadhurst) would ask the House whether the benefits of education were confined alone to those who received that education? He did not for a moment hesitate to say that not only were manufacturers engaged in our vast industries benefited by the education of their workpeople, but so were the farmers. [Mr. WARTON: No.] An educated farm labourer must be far more valuable than an ignorant farm labourer. [Mr. WARTON: No.] The hon. and learned Member for Bridport assumed the right to speak for the agricultural labourer; but he (Mr. Broadhurst) ventured to say that any person who had studied the labour question, and who had had the least knowledge of the condition of labour in this country, would unhesitatingly be of opinion that the better the workman was educated the better workman was he, and the more profitable to his employer. The Motion proposed not only to relieve the farmer, but to interfere with the incidence of taxation in the great centres of industry by relieving factories and workshops of their due share of the cost of the education of their neighbours. Notwithstanding what the hon. Member for East Gloucestershire had said, he (Mr. Broadhurst) ventured to say that there were not a dozen owners of workshops, whether Liberals or Conservatives, who desired anything of the kind. If the hon. Member had had some experience in manufacturing industries, he would have learnt that he also was interested in the education of those whom he employed. The landowners, and the squires, and the farmers did not altogether lose the money that they paid for education. It had been the habit of country gentlemen to pay the rates necessary for the maintenance of prisons and workhouses without question and without grumbling. ["No, no!"] Well, they had always grumbled when they had anything to pay, no matter what they paid. He was perfectly willing to accept the correction, and ought not to have fallen into the error. It was better for them to pay for education than for prisons and workhouses, and they had to pay in some way or other. They must know that if these children were not educated, they would probably become, later on, a burden on either the prison or workhouse rates, and they must, therefore, much prefer to pay the rate levied for educational purposes. The adoption of such a proposal, which he could not separate from a Bill that had been before the House for some time, would strike at the very root of the educational system of the country, destroying and rendering such a system impossible in the future. He hoped the House would guard the Education Acts which had been passed, and not allow their value to be frittered away by a Motion suddenly sprung upon the House on a Friday evening. Speaking for himself, one-fifteenth of his rates went for education, and there was no part of his rates paid more cheerfully than the 20*s.* in this respect; and he only regretted that the Forms of the House would not allow of a division, in order that the constituencies might see the insidious attempt to undermine a system which had made education one of the birthrights of Englishmen, and, at the same time, to know who were its enemies. He hoped they would defend it as long as they possessed any political power.

MR. GREGORY said, the hon. Member for Stoke (Mr. Broadhurst) assumed too much when he said that there was a feeling against education in this country on the part of the wealthier classes; and he (Mr. Gregory) ventured to remind the hon. Member of the sums given voluntarily to education. He did not think it could be said that those who had the means gave grudgingly. He thought it was reasonable to inquire whether the taxation was fairly applied, and whether it could be mitigated or relieved. He considered the school board system an extravagant one. The cost under it per child was £3 10*s.* a-year, whereas the cost under the voluntary system was £1 15*s.* [Mr. MUNDELLA: No; that is a mistake.] Well, the right hon. Gentleman could give the correct figures; but it would hardly be denied that the system of voluntary contributions for the purpose of the education of children was cheaper and more satisfactory in its results than the system of rates under the school board system. They had a right to inquire how that difference arose. He would remind the House that, even under the present system, something like £750,000 was raised annually for the purpose of education by voluntary aid. He could not help thinking, therefore, that the system of voluntary aid had proved most advantageous to the country. Again, as regarded the expenses of management, he thought the voluntary system was infinitely preferable to that adopted under the school board, where the rates which could be levied were well-nigh inexhaustible. A person in a voluntary school knew where his contributions would end; but the manager of a school board knew that he had only to levy a further rate. Whatever expenses he incurred must be paid by the ratepayers. He had been very much struck with what had occurred under his own cognizance. Some years ago notice was given by the London School Board to a landowner for whom he acted of a portion of his land in a populous district being required for the purposes of a school. On going to look at the site selected, he found that another school had also been erected by the Board at the other end of the street; but he was told that this was in a different district, and, consequently, another must be put up. But this was not all. A short time afterwards he received notice that further land was required for the purpose of a playground for the two schools; and, consequently, the land was bought, the houses pulled down, and compensation paid to owners, lessees, and occupiers, besides all the costs of the transaction, by the Board.

Mr. MUNDELLA: When?

Mr. GREGORY: Five or six years ago.

Mr. MUNDELLA: And where?

Mr. GREGORY said, he would furnish all the necessary particulars to the right hon. Gentleman if he required them. Another point to which he wished to draw the attention of the House was that the Standards in Board schools were now raised exceedingly and unnecessarily high. Indeed, it was a question whether the education provided by the Statute was not beyond the necessities of the case, and that, as a consequence, large numbers of the middle classes were availing themselves of the advantages of gratuitously educating their children by the means thus afforded. There could be no doubt that tradesmen, clerks, and agents of various descriptions were largely taking advantage of the present system to the detriment of the ratepayers. The question of what remedy could be applied was a very serious one. He did not know whether this concerned the Education Department or not; but, however that might be, he thought the question was one which was entitled to the consideration of the House. It required most careful watching, and a close investigation of the causes which led to the present results. Above all, it was necessary we should see that the persons who had been invested with large powers of taxation should apply those powers with due consideration for the benefit of those whose interests were at stake. He thought that the proposal of his hon. Friend would check the disposition to incur unnecessary outlay on the part of school boards, and throw, to a certain extent, the burden on the shoulders of the classes to whom he had referred.

Mr. FIRTH said, that had the hon. Gentleman opposite (Mr. J. R. Yorke) who had brought forward this Motion gone to a division, he (Mr. Firth) should have voted in favour of it. In supporting the Motion, however, he was scarcely able to do it on the grounds advanced by the hon. Gentleman. He (Mr. Firth) represented a borough constituency of considerable size, and it was found that the incidence of the school rate was exceedingly hard and unjust. The hon. Member for East Gloucestershire laid down the true principle when he said that those who benefited by education should pay for it. But the question to consider in that relation was—who were those who benefited? Those who benefited were very well indicated by a well-known American statesman. Speaking in the State of New York, when describing a measure for the education of the people in that State, he said he did not consider that a community would be worth living in in which the children were not well educated, and that it was the interest of everyone possessing a large stake in the country that there should be that security which could only effectually result from the education of its citizens. The hardship on farmers was hardly more than that on shopkeepers in the towns, and the shopkeepers would hardly have any relief from the proposal of the hon. Member. He thought that the present rate asked by the London School Board was a very moderate one, being at the rate of 6*d.* in the pound, producing £700,000, and representing an outlay of 3*s.* 6*d.* per head; but he would remind the House that in Massachusetts the same rate would be six times that sum, reaching, as it did, £1 per head. The education in Boston was proportionately higher, and with 63,000 children at school, 52,000 were in the public schools, and only 5,000 in voluntary schools. He had been told by a gentleman in America that the system prevailing in Boston was to ask every inhabitant to say how much he was worth after he had paid all his debts. The various estimates were added together, and the rate put on the top of the estimates. If the House accepted the principle that those who had the greatest stake in the country were most benefited by education, there could be no objection to that system of rating. But it might be said, "What guarantee have you that correct estimates will be sent in?" Of course, they had none; but the estimates were published every year, and he had been told that so many persons were desirous of appearing to have more than they really had, that in the end the matter squared itself. That system, though grossly inquisitorial, would be perfectly fair—affecting rich and poor equally—and while he did not recommend it, he mentioned it because it seemed to him that somewhere between that system and the one at present adopted in this country must be found the solution of the problem raised by the Motion. It would relieve the shopkeeper who had a high rent to pay, and who had little profit left after meeting debts, and would reach the man who had no shop and no business, and did nothing but live on his income. On the other hand, our own system was exceedingly unfair. Take the case of the bootmaker, compelled to take a shop in a leading thoroughfare, and a gentleman with £20,000 in Consols, both of whom occupied houses rated at £100 a-year. In the one case the bootmaker, who worked hard all day at his trade, might be worth £2,000, and the other, say, £20,000. Surely, it could not be fair that the one should pay as much as the other. In Boston such a man had to pay 10 times more than a tradesman; whereas, in this country, he paid the same. A just system would lie in some intermediate adjustment. He admitted the difficulty which surrounded the subject, yet he hoped some solution might be found which would relieve the cases of hardship. During the time that he was a member of the School Board of London, he had attended the meetings of the Statistical Committee of the Board, and they were always most careful to deal fairly with the interests of property. The machinery of the London School Board had been set working by gentlemen who had devoted many hours of their valuable time for that purpose. The machinery only required oiling to remain in order, and he trusted that so much personal devotion to a great work would not be thrown away.

MR. SCLATER-BOOTH said, he was glad the Motion had been brought forward and discussed, though in a conversational debate. He agreed with his hon. Friend (Mr. J. R. Yorke) as to the substantial character of his grievance, but differed from him in regard to the remedies. At the same time, he must congratulate him upon his receiving the support, somewhat unexpected, of the hon. and learned Member for Chelsea (Mr. Firth). But the case of those whom his hon. Friend represented differed materially from that of the shopkeeper of whom the hon. and learned Member spoke. In the one case the shopkeeper was rated upon the house he occupied, and to him the rule could fairly be applied—"As a man's house is, so is his ability to pay." There might be many objections to that system, but none so grave as in the farmer's case. He (Mr. Sclater-Booth) was glad his hon. Friend had brought forward the Motion in its present form, for it was impossible for any hon. Member to hope to carry a Bill through the House involving a transfer of the burden of taxation. There could be no doubt as to the substantial character of the grievance complained of; and had the Education Act of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) come fully into operation, and the system of school boards been adopted as universally as had been desired by the promoters of them, this question must long since have come before the House, for the burden to the occupiers of land arising from defects in the incidence of the rating must have long since been found to be intolerable. The tendency to throw heavier burdens upon the rates had become more and more marked as time proceeded. He would instance two cases—the sanitary rate and the education rate. A theory was propounded that a certain area—the area of the parish—must be considered as giving the inhabitants a common interest in a common object. This interest of the parish was regarded as affording the best means of securing the health of the population; and a few years later the same area was taken for the purposes of education. But the effect was, in both cases, to work a great injustice to the occupiers of land, because no means was provided for opening up the contract between the landlord and the tenant, and giving the occupier an opportunity of varying his rent in proportion to the new burden thrown on the occupation. That injustice was remedied, to some extent, in regard to the sanitary rate—namely, by the mitigation of the charge on land, as compared with the charge on house property. The remedy which his hon. Friend desired to apply to the education rate was, he thought, much more easily applicable to the case of the sanitary rate. When his hon. Friend said that the house tax was the more fair way of assessing the education rate, he (Mr. Sclater-Booth) should rather say that that was the mode by which the pressure of the sanitary rates in rural districts might most justly and properly be mitigated. If they examined closely the case of the rural districts, he thought it would be found that a house tax, although it would mitigate some portion of the injustice to which his hon. Friend drew attention, would create injustice of another sort and promote jealousy of another kind. In the rural districts, in the event of the establishment of a school board, the immediate effect was to transfer the cost of the education of the parish from the wealthier classes, who had hitherto presumably defrayed it by their subscriptions, to the shoulders of the farmers, whose means of discharging it was in the inverse ratio of their ratability. The Education Act was deficient in this important particular, that it provided no means, under the school board system, for opening the contract between the landlord and the tenant and requiring that, until a new contract was entered into, the rate should be divided between them. It was a flagrant injustice of the school board system that no such arrangement was made. It was the habit of this country to go on with legislation very imperfect theoretically, provided that it worked practically in a manner more or less satisfactorily; and the reason why the Education Act had gone on so long without provoking more noisy and violent explosions of disgust and alarm was that the Act had been found to work with considerable fairness in the urban districts where the great masses of the people were concentrated and where education had, on the whole, been satisfactorily provided by means of the system which it constituted. Up to this moment, in the agricultural districts, generally speaking, the school board system had not been introduced. That system must, however, be regarded as looming in the distance for all of them, and the time would come when it would spread all over the country, and then that flagrant injustice would have to be dealt with. He could quote instances in his own immediate neighbourhood in which large parishes, purely agricultural, had been obliged to come under the school board system from accidental circumstances, such as the failure of subscriptions to meet the requirements of the Education Department, or through some quarrel arising among the inhabitants. He did not himself offer a complete remedy. It was difficult to interfere with the power on which the educational sytem now rested—namely, the power of borrowing money at easy rates of interest, constructing buildings, establishing school boards, and providing that the inhabitants of the district should be represented and should manage their own affairs. He submitted, however, that it was the bounden duty of the Government and of that Department of the State which had most to do with the supervision of local taxation to keep in mind the questions connected with the unfair incidence of rating. The grievance and the difficulty to which his hon. Friend had called attention were not yet fully upon them. The question was a growing one; and as time went on he felt satisfied that it would be found that no Government could afford to ignore the necessity of facing it.

Mr. LYULPH STANLEY said, he inferred that the speech of the hon. Member for East Gloucestershire (Mr. J. R. Yorke) had been prepared for another occasion. No doubt, when the Education Act was passed there were individual speculations as to what the rate might amount to; but what his right hon. Friend the Member for Bradford (Mr. W. E. Forster) said was that he hoped a rate of 3*d.* would be rarely exceeded. There was, however, an expectation that it might be, because the right hon. Baronet the Leader of the Opposition (Sir Stafford Northcote) raised the question whether, when it did exceed 3*d.*, one-half of it should not be borne by the State; but that proposal was negatived. It was very delusive to group together the boards whose rates amounted to 6*d.* or 1*s.*, and to exclude the larger number whose rates were lower. The majority of the boards whose rates were high were those of small rural parishes, and, no doubt, in scattered districts the rate fell heavily on a few farmers who were the principal ratepayers; but, taking the country generally, the hon. Member who introduced the subject had given an incorrect idea of the cost of education. He (Mr. Lyulph Stanley) believed, however, that the extension of the area from which school boards were elected would be a very substantial remedy. The great burden upon small school boards arose from the expense of the elections and the salaries of officials, and the proper remedy for that would be the more frequent exercise on the part of the Department of the power it had of consolidating the townships where they existed in close contiguity, thus reducing the cost of elections and of clerks' services. He entirely agreed with the hon. Member that it would not be desirable to increase the contribution of the State and decrease the local contribution. There was great danger in taking that step that local control over the work would be unduly diminished; whereas, in the work of education, it was of paramount importance to interest the particular localities. He thought there was a danger, which was increasing every year, of centralization in the question of education. We did not want in this country the French system of centralization, where the Education Department nominated and removed all the teachers. He looked upon the main proposal of the hon. Member as most pernicious, destructive, and mischievous to education, because, if it were carried out, there was not a railway, or ironworks, or system of docks, or a factory, that would pay a penny to the education rate. Was it reasonable, for example, that the colliery of a Durham village, which brought the population there, and created the demand for the education rate, should not pay one farthing to the cost? Let them imagine what the effect of that would be in large manufacturing towns such as Ashton, Barrow, and Middlesborough. In the great manufacturing towns of Lancashire, which consisted of whole streets of cottages, the employers often living outside the borough, nearly the whole burden of the education rate would be thrown upon the parents whose children were educated at the board schools. Perhaps the hon. Member would be very glad of that; but it was not the principle upon which legislation had been based of late years. It seemed to him that the hon. Member's speech was not characterized by any very great love of education, especially that part of it in which he compared the educational system of the country to a system of Poor Law relief. He (Mr. Lyulph Stanley) could only say that if the hon. Member thought the business of the State was to dole out the means of education, his views were so completely at variance with the policy adopted by the country in recent years that no political Party would agree with him. The necessities of life in the present day required something more than a mere dole of education, and made it impossible to teach the "three R's" without going further. According to the proposal of the hon. Member who had introduced the subject, the farmer, the landlord, the manufacturer, nearly everyone, in short, would be relieved of the greater part of his present burden, till no one would be left to be rated but the poorer class of householders. It seemed to him that the proposal of the hon. Member started from an entirely wrong supposition; whereas the Education Act took it for granted that the training of children was a matter of national importance, the cost of which must be borne, to a great extent, locally. He (Mr. Lyulph Stanley) did not mean to say that something was not required to be done on the question of rating; but to say that it was expedient to re-adjust the incidence of the rates, for the single matter of education, seemed to him an utterly idle proposition to bring forward. Inequalities, perhaps, existed which might need to be remedied, and contributions might be made proportionate rather to a man's ability to pay than to the extent of his visible property; but he held, on the whole, that the proposal that had been made to the House would not satisfactorily meet the difficulties of the case. In conclusion, he must say, with reference to the complaint of the burden on small rural parishes, that he could not understand the feeling of English ratepayers in objecting to the payment of 1*d.* extra for such a useful object as education.

Let them look at Scotland, where school boards were universal throughout the country, and in the rural districts the rate was infinitely higher than in England. In some of the Highland parishes the school board rate went up to 3*s.*, 4*s.* and 5*s.* in the pound; and yet he had seen with what liberality and energy the people of those Highland parishes had built admirable school houses, and had provided the means to bring schoolmasters within the reach of very small handfuls of children. But the fact was, that in Scotland the people had been longer accustomed to education than they were in England, and they valued it more; and, although the pinch had come more upon the Scotch than it had upon the English people, they did not make such complaints about it. He admitted there was a grievance; but he considered that it was a sham and a delusion to imagine that a proposal of this kind was going to remedy it. The fact was, that they in England needed to appreciate education more, and they would not then be so sensitive on this point.

Mr. STORER said, it was untrue to say, as had been said in the course of the debate, that the inhabitants of rural parishes and the owners of land had a great objection to education. They had not the slightest objection to it; what they objected to was that a great part of the burden should be thrown upon land which benefited so little from the education for which they paid, and that the occupiers of land had to bear a disproportionate share of the burden when compared with the dwellers in towns. Allusion had been made to the original estimate for the school board rate that 3*d.* in the pound would be sufficient. But it appeared from a Paper which had been presented to the House, that in the rural parts of England hardly any of the school board parishes paid less than 1*s.* in the pound, while some paid as high as 2*s.* 6*d.*, which was equal to an income tax of 5*s.* in the pound. What urban district paid anything like that? Every agriculturist knew well that, in that education rate, he paid not for what was an advantage to him, but for his own damage and disaster, because education took the hands away from agriculture permanently, and, therefore, increased the price of labour. The difficulty and disaster from that cause were now so great that the land was going out of cultivation, because farmers could not find the money to provide the additional labour or children to do the work which they formerly did. In short, the farmers would be driven to distraction by the burdens which were laid upon them. They were told by the hon. Member for Stoke (Mr. Broadhurst) that this was not a question for the occupier, because if he did not pay in rates, he should have to pay in rent. But everybody knew now that rents could not be increased, and landowners considered themselves well off if they got any rent for their land at all. He (Mr. Storer) did not think the substitution of the Union area for the parochial area would meet the view of the people in the rural districts.

Mr. MUNDELLA said, that he could not help remarking as to the wide scope the discussion had taken. Only yesterday the hon. Member for East Gloucestershire (Mr. J. R. Yorke) had a Bill on the Paper against which there was an Amendment, and there was very slight chance of that Bill being discussed. Very adroitly, however, he managed some time last night to discharge the Bill, and to put down on the Paper a Resolution which contained the substance of that measure. Upon that Resolution the whole question of Education, the Code, and even sewing had been discussed, though the subject before them had only to do with the incidence of the Education rate, a matter which had reference to the Local Government Board rather than to his own Department. The hon. Gentleman stated that the Prime Minister had promised to deal with this question. When the deputation representing the agricultural interest waited upon his right hon. Friend, it was quite possible that the education rate was mentioned, and that the Prime Minister promised that the whole question should be considered in dealing with local government and county taxation; but there was no promise that this question should be considered separately by the Government, or even that it should be included in the other rates proposed to be dealt with. The hon. Gentleman stated that when the Education Act was launched by his (Mr. Mundella's) right hon. Friend the Member for Bradford (Mr. W. E. Forster), that right hon. Gentleman expressed an opinion that a rate of 3*d.* in the pound would rarely be exceeded. He (Mr. Mundella) was afraid there were very few estimates made to the House, either as to local or general taxation, which did not come, in the course of years, to exceed the original estimate. But, as great stress had been laid upon this question of rates, it was right that he should deal with it more particularly, and tell the House what it was, and where it fell in reality. From a Return for the year 1879-80—the last that was made—the total of the education rate for England was £1,477,919, or less than £1,500,000. Of that sum London bore £585,000, and the boroughs of England £451,000, while the rural parishes of England paid only £440,000. Those parishes were not by any means rural, but many of them were urban and manufacturing districts. The total amount paid by the rural parishes, therefore, was very small, though he admitted that in some of them it was very burdensome. The cause of that was that the parish had been originally taken as the unit of the school board system, and some of them being very small, the rate fell heavily upon them. The reason why the rates of the small school boards were high was that they had to bear the cost of election contests and of clerks' salaries, just as much as the larger boards. He hoped some day they should be able to find a means of diminishing these expenses for school boards and other local authorities in the small parishes. He did not think that it was necessary that the principal attorney in a country parish, or, where there was none, one from the neighbouring town, should derive an annual emolument from the administration of a solitary school of 150 children; and it was monstrous that we had not found a means, not only in respect to schools, but to other administrations, of getting rid of those gentlemen who were attached to all local institutions. He had had to cut down the charges made in some cases, and he had been able to reduce them by as much as 50 per cent. The question, what had been the average of the school board rates? was easily ascertained by reference to the statistics. In the year 1879 it was 5 7·10*d.*; in boroughs, 4 1·10*d.*; and in parishes, 5 6·10*d.*—so that although there were many parishes under 3*d.*, there were some—and a considerable number probably—in which 3*d.* had been exceeded. But he believed that, on the whole, the education rate had been exceptionally well spent, and the administration of the Act had been conducted, on the whole, with great economy. He was very much surprised at some of the statistics of the hon. Member for East Gloucestershire, as to the proportion of school incomes from different sources; he could not tell whence these ridiculous figures had been obtained. They might, however, be tested and corrected by a table given in the last Report which covered a period of 10 years. In that time it appeared that the total income, apart from the Government grant, was £20,933,000, of which £9,827,000 was from school rates, and the Government grant was £11,783,000.

MR. PELL, interrupting, remarked that the proportions had been given by the hon. Member for East Gloucestershire (Mr. J. R. Yorke) for Board schools alone.

MR. MUNDELLA said, that might be so; but the Education Act dealt with the elementary education of the whole country, and he therefore quoted figures embracing all the schools. He admitted that, in some instances, the burdens of the school board rate were too heavy; but he would ask how was it we did not hear any complaint from Scotland? Scotland had a school board in every parish, and the rates were much higher than in England, and yet he was almost in disgrace because he did not raise the Standard for Scotland. The schools were attended by farmers' sons and the children of the middle classes, and their parents did not consider themselves pauperized by accepting the Government grant. Scotland obtained 2*s.* a-year for every child more than was paid in England. The reason why Scotland bore its rates patiently was that education was admitted to be an important factor in promoting the prosperity and welfare of the country; while, in England, they had gentlemen declaring that education was a bad thing for the agricultural interest, that it took men away from the farms, disqualified them for the plough, and sent them in search of other employments. In England there were 8,000 rural parishes in which children were free to labour on passing the Fourth Standard, which every child ought to pass at 10 years of age. [An hon. MEMBER: But they do not.] The reason for that was that the law was not put in force early enough; it was only when a child came to the 10th year and could not pass, that pressure was put on. When the farmer came to know his interests better, he would apply the pressure earlier so as to be able to have the labour of the child when it reached the age. The effect of Scotch pre-eminence in this matter was that, in all parts of the world, Scotchmen took leading positions out of all proportion to their numbers. One reason for the satisfaction which prevailed in Scotland was that the farmer paid only half the rate and the landlord paid the other half, because the rate was divided between the owner and the occupier. He had no doubt the hon. Member opposite would look with favour upon that division, and he (Mr. Mundella) should be glad if the local taxation reformers in the country would propose a similar division; but in that debate he had not heard anyone urge that the landlord should pay half the school board rate. That would go a great way towards the solution of the question. He should be glad to see the areas of rural boards extended, and the Union made the unit, and the rate paid equally by landlord and tenant. That would be a good solution, and he wished hon. Members opposite could give him a cheer for this suggestion. The hon. Member for East Gloucestershire complained of the present system, because it enabled the working classes to spend rates to which they did not contribute. He made a great mistake in that respect. Since the passing of the Reform Bill of 1867, the electors in Sheffield, for instance, had increased in number from 9,000 odd to 40,000 odd, and the 30,000 odd brought in did contribute to the rate in proportion to their means as much as the upper and middle classes. The hon. Member suggested the putting of the whole burden of the school board rate upon inhabited houses. He said the children came from the houses, and that, therefore, the cost of their education should be defrayed by rates upon the houses—in other words, that it should be borne by the poor occupants. He (Mr. Mundella) could not conceive, unless the hon. Member really desired to make education odious and unpopular, a worse suggestion than that. If it were carried out, lands, mines, railways, factories, canals, gas-works, and, indeed, everything but inhabited houses, would escape the burden of the rate. The result of that he could illustrate by his own personal experience. He had been a large employer of labour in towns in which there were mills employing thousands of workpeople. He did not live in either of the towns; and if the mills had not been rated, he would have escaped altogether any contribution towards the cost of educating the workpeople, on whose intelligence so much depended. In Sheffield there were two large joint-stock companies producing armour-plate; each paid, perhaps, £5,000 a-year in rates; each employed 4,000 or 5,000 workmen, representing two or three times as many children; and if the proposition of the hon. Member were carried out, these large works—many of whose shareholders lived outside the town—would be relieved from every farthing of school board taxation. The proposal of the hon. Member would also exclude railway companies. Whenever railway companies came into a district, they always brought a large number of servants with them. Yet these undertakings would be entirely exempt from taxation. The practical effect of it would be to relieve the burdens of the rich, because they could live where they pleased, and to place them upon the shoulders of the poor. Under a system such as that proposed, there would be rich men's parishes and poor men's parishes. The rich man would pay nothing, and the poor man, in respect of his cottage, would be required to pay all. In many instances that would be the practical result. The hon. Member had mentioned the Public Libraries Act; but he must remember that that Act could only be put into operation in boroughs where the population exceeded 5,000, and then only under certain restrictions. No complaint, therefore, could be founded on that enactment. Complaints, however, had been made that the school rate had been increased six times during the last seven years—since 1874—and that the loans had been increased from £1,000,000 to £13,000,000. He had already pointed out that the loans had grown mainly in the great boroughs and not in the rural districts; and the reason of this growth was owing to the fact that, until recent years, the education of the children of London, for instance, had been shamefully neglected. It had been said that there was a school at the end of every street; but those who said so forgot, at the same time, to mention the slums which were in the immediate neighbourhood of each school. It would be found that even now the school accommodation was not adequate for the requirements of many districts, particularly in Lambeth, where alone there was a deficiency of 7,000 places. Whenever a new school was begun, which was never done without the consent of the Education Department, applications were frequently made to builders to know when it could be finished, in order that children might be sent there. As regarded education in rural districts, he had the authority of Mr. Clare Read for saying that want of education was one of the causes which made American competition so formidable to us; and if we would hope to contend successfully against that competition, we must give our children much higher and better education than we had hitherto done. He could confirm a statement made by the hon. and learned Member for Chelsea (Mr. Firth) with respect to the education rate in America. In Massachusetts, 17*s.* per head of the population was the amount of the rate paid, against 2*s.* per head in the boroughs, or 3*s.* 6*d.* per head in London. Since William Penn founded Pennsylvania, every State in the Union had reserved a large portion of its land for education; but, unfortunately, they had no such resource in this country. With respect to the loans which had been contracted, there had been no extravagance. Most of the debts had been contracted during the six years in which the late Government were in power, and he would say that, in his opinion, the utmost discretion had been observed in making them. The utmost regard to economy had distinguished the late Government in this matter, and he did not believe that any money had ever been laid out better. The effect of it was that, by an expenditure of from £13,000,000 to £14,000,000, the country had got schools which would last them for the next century. He believed it would confer great and growing benefits for many years to come. He thought that the hon. Member opposite (Mr. Pell) was indebted to Members on the Ministerial side for keeping a House, for, in the course of half-an-hour, there were no less than three attempts to count out the House; and whenever he (Mr. Mundella) hurried back from the Lobby he found the champions of local taxation rushing out of the House. He could not for one moment assent to the principle laid down by his hon. Friend. To his proposal that there should be quinquennial elections and school boards, he was not sure that he would not assent; but he was not prepared to say at this moment that this was the the best solution of the question. With reference to school board elections, whenever the question was dealt with it it should not be dealt with piecemeal, but on the responsibility of the Government. He must leave any other question to be dealt with by his right hon. Friend the President of the Local Government Board.

EARL PERCY said, that the right hon. Gentleman the Vice President of the Council (Mr. Mundella) had admitted that there was much to be said in favour of some of the points urged by his hon. Friend (Mr. J. R. Yorke), and he (Earl Percy) certainly hoped that what had passed would not be without fruit. But it appeared to him that the right hon. Gentleman had confused two very distinct questions—namely, the operations of the Education Act in the rural parts of the country, and its effects in the boroughs and large towns. The right hon. Gentleman had dealt entirely with the case of large manufacturing towns and the persons employed in collieries, and upon railways and other industries. He (Earl Percy) would confess, for his own part, that he thought there was a great deal in what was said as to the inapplicability of the Resolution to large manufacturing towns, as there was no doubt that the manufacturing classes derived far greater benefit from the advantages of education than did the agricultural classes. He agreed with the opinion that such proposals as that now before the House only touched the fringe of the subject. It would, however, really have the effect of dividing the burden of the cost of education between the landlords and the occupiers, and that, he thought, was desirable. His own impression was that the question of local taxation would not be satisfactorily settled until they had discovered a new unit of taxation, which should not be either the parish or the

Union. But if they were to wait until the question could be dealt with as a whole, he feared that the burden which was complained of would have to be borne for a very long time. He disputed the allegation that the Motion was at variance with the feelings of the country; while with regard to the one asserting that hon. Members on that (the Opposition) side of the House did not appreciate the benefits of education, he thought it was an amusing statement to make when they looked round and saw the very vague manner in which hon. Members opposite talked about education. He believed the Conservatives represented the feelings of the rural population of the country on that question fully as well, and even to a greater extent, than hon. Members on the other side who represented boroughs. It was a subject which affected the rural districts more than the boroughs, yet, at one period of the debate, not a single Member representing those districts was present on the other side of the House. None of the arguments that had been adduced on the Ministerial side of the House had dealt with the rural aspect of this question. He thought, from the accounts received daily and hourly, that it might be doubted whether the new system of education had much improved the condition of the people morally; and he thought that it was highly probable that the institution of board schools had deteriorated the religious condition of the people. Speaking generally, his impression was that in rural districts the occupiers should in some way be relieved of some of the great burden of local taxation which pressed upon them. He, therefore, asked the House to consent to the proposition that the rural districts suffered from the present system, for a distinction should be drawn between the towns and the rural districts; and he hoped something would be done to remedy the grievances that existed.

Mr. DUCKHAM said, he must call attention to the fact that labourers did not pay the rates on their cottages, and, therefore, it was not correct to say that the burden of the rate fell on the labouring classes. If the alterations in question were carried out, the burden would not fall upon the working classes, but upon those who were the occupiers of their farms. He had heard with regret the despondent way in which the noble Earl who had just spoken (Earl Percy) had referred to the progress and effect of education. He (Mr. Duckham) regarded education as a great national question, and one to the cost of which the general wealth of the nation should contribute a great deal more than it did. He was surprised to hear the noble Earl state that education had not improved the morals of the people of the country. He believed that the tendency of the present system of education was to improve the morals of the people, and make them better members of society; but, at the same time, it was wrong to place such heavy burdens upon the occupiers of the soil as those they now suffered under. He thought that a re-adjustment of the rate was necessary; and, in his opinion, a fair apportionment of it would be to levy one-fourth on the land, and the remaining three-fourths on the houses. This was only a portion of a great national question; and if there had been less obstruction, there was no doubt it would have been dealt with during the present Session, as promised by the Government.

Mr R. H. PAGET said, he thought there should be some alteration in the present system, for the simple reason that the cost to the rates of the maintenance of elementary schools would be intolerable if the voluntary schools should disappear. It was the maintenance of those schools by the wealthier classes that enabled the rural ratepayers to bear the burdens that were cast upon them. He hoped and believed the voluntary schools were not doomed to early extinction. There was great vitality in them, for two reasons—first, the conviction prevailed in the rural districts that religion could only be taught in its entirety and integrity in voluntary schools; and, secondly, those schools were infinitely more economical than Board schools. Wherever school boards did exist in rural districts, the burden was very irksome. Indeed, the right hon. Gentleman the Vice President of the Council did not deny that, and admitted that there was an injustice. That injustice was annually increasing, and hon. Members on that side of the House would always complain of it until an efficient remedy was provided. This question would not be allowed to remain long in its present state. The Government of the day was prepared to concede largely the demands made upon them by those who were not always the most loyal of Her Majesty's subjects; and when reasonable demands were made by loyal subjects they ought, at least, to receive a similar amount of attention. If there was any class in the country who appreciated the necessity of education it was the farmers; and the reform in educational matters which would be most beneficial to them and to the country would be the promotion and improvement of secondary education. He acknowledged the conciliatory spirit in which the right hon. Gentleman the Vice President of the Council had spoken, and hoped it was an indication that Her Majesty's Government would endeavour speedily to remedy the grievance, the serious character of which was generally admitted. As regards halving the rate, however, there were many simple and obvious objections to such a course if it were the only remedy proposed. He thought that the discussion they had had that night was of a very important character. He believed that the Resolution was one to which the House might well have agreed, for no one could deny that some change in the present system was desirable. He must express his regret that the distinct promise of the Chancellor of the Exchequer to deal with the whole subject of local taxation would not be realized during the present Session; and though until that was done he feared that there would be no attempt to deal with this part of the question, yet he considered it would be well to place on record the Resolution now before the House, if only as a protest against the continuance of an injustice, which had been admitted by nearly every hon. Member who had taken part in this debate.

MR. RAMSAY said, he had listened to the speech of the hon. Member opposite (Mr. R. H. Paget), and he agreed with him that the Motion before the House was one of great importance. He was glad to hear the hon. Gentleman allege that no class in England more appreciated the advantages of education than the farmers of the country. He was glad to find that the farmers of England had arrived at that feeling, and that an hon. Gentleman who knew so much of them was ready to declare that they were directing their attention to obtain higher education for the agricultural children. He believed that their attention to that subject would do much to raise the standard of education in England generally; and he knew of no class which would be benefited more by that standard being raised than the farmers of England. The noble Earl opposite (Earl Percy) said he concurred in the belief that education in Scotland was more highly appreciated than it was in England. He (Mr. Ramsay) believed that that was admitted on all hands; but in what class of society was it most appreciated? He knew of none by whom it was appreciated more highly than by the Scotch farmers. The noble Earl said that the middle classes did not take advantage of the schools for which they were made to pay a large proportion of the expense. He thought it would be of great advantage to the people of England if the distinctions between various classes of society were much less taken notice of than they were in the education of the young. He saw no reason why the sons of the Peer and of the peasant should not sit on the same bench in the parish schools. He thought it would be for the advantage of both classes if the distinctions which now existed were done away with. The hon. Gentleman who introduced the subject (Mr. J. R. Yorke) referred to the case of Scotland; and allusion had been made to the fact that, under certain sanitary Acts, the land was exempted from the same payments as the houses. But the cases of sanitary improvement in a district and the education of the children were essentially different; and the only result of carrying out the suggestion of the hon. Gentleman, that they should increase the tax by placing it upon houses only in the rural districts, would be to render it impossible to collect the rate without inflicting great hardship upon the individuals who paid it. He thought that those who professed to speak in the interests of education should shrink before they did anything that would tend to bring about such a state of affairs. He gathered, however, that the hon. Gentleman who introduced the subject had not in view the interests of education as he (Mr. Ramsay) understood them, because he said that if they were to provide for education out of the rates, they should provide only for mere elementary education. The hon. Gentleman would like the children of the working classes to get that elementary education and nothing more. He (Mr. Ramsay) was afraid, from the expressions which had fallen from the opposite Benches, that hon. Members were under the impression that the education of the poor was not for the advantage of the rich, and that if a greater proportion of the rates were devoted to educational purposes no very large amount of good would be done to the people employed. Now, the rich, even although they paid the larger portion of the rates, got quite as much advantage from the higher education of the poor they employed as the poor themselves. The hon. Gentleman who had just sat down (Mr. R. H. Paget) referred to the question of dividing the rates between the owner and the occupier, which was the practice in Scotland, and the hon. Member complained that it would do nothing for the yeoman, because the yeoman was the owner of his own house and land, and must necessarily pay the rates both for ownership and occupancy. That, however, was no argument against the propriety of adopting the system; and he thought the landowners of England, and those who administered the county rates in England, would do well to consider that the very fact of the rates being so charged, and by requiring the owner and the occupier to bear an equal share of the rates, would do much to do away with the discontent which now prevailed in regard to the distribution of the rates. He was of opinion that the county administration in England should be the same as that in Scotland; and when the question came to be dealt with by Her Majesty's Government he hoped that that principle would be the one adopted. At present there existed a wide distinction as to the mode in which the rates were levied. The occupier in England was made to pay the whole of the rates, whereas in Scotland they were equally borne by the owner and the occupier. He thought it was equally to the interest of the owner and the occupier that a change in this respect should be brought about at an early day, so that the incidence of the rates might be rendered equal in both countries. He was aware that it was said to be demonstrable that the rate paid by the occupier fell ultimately on the proprietor. Although that was quite true in theory, in practice it made an essential difference whether the owner only paid the rates, or whether the owner and occupier had to pay alike, because there was no argument that reached the understanding more quickly than the argument that affected the pocket. He thought if the Government could see their way to the passing of a short Act to provide that rates of all descriptions in England should be levied equally from the owner and occupier, it would be of great service to the interests of education as well as to the interests of the poor, and that it would tend to allay the feeling of bitterness which now prevailed in the minds of many of the occupying tenants. He had no wish to take up the time of the House; but he had thought it right that he should make some reference to the remarks which had been made, and he thanked the House for having listened to him.

VISCOUNT EMLYN said, that an hon. Friend who sat below him had spoken of Union areas, but was opposed altogether to the application in any way of the Union area for school board purposes, as distinguished from parishes. Personally, he (Viscount Emlyn) thought, although he admitted that the subject was a difficult one, that something should be done in the direction of the creation of more equal districts for school board purposes. The right hon. Gentleman the Vice President of the Council (Mr. Mundella) alluded, to a certain extent, to the same point. The right hon. Gentleman spoke of the smallness of the parishes in the school board districts as an evil, in so far as they increased in such localities the proportionate cost of the work of education. But that was one of the evils that had always existed since the passing of the Act of 1870. He (Viscount Emlyn) admitted the difficulty, but could not see how, under the present system, it was to be avoided. They saw now, in the same locality, one parish with a low rateable value, in which it was necessary to employ all the paraphernalia of a school board, side by side with a large school district, which included five or six parishes. Certainly the evil was one of considerable magnitude, and one that to many persons appeared quite absurd; and he should therefore be very glad, if it were possible, to see an equalization of these charges—not spreading them, perhaps, absolutely over Union areas, but, at all events, extending them over larger areas than those of parishes. It seemed to be thought that an extension of area might diminish the interest taken in the affairs of the district. Now, he did not think the Guardians of the poor paid less attention to the affairs of their own localities because their duties were extended to the whole Union, or that they would be better performed if they were confined to the parishes. To his mind, where the area was extended, the public obtained better service, and, on the whole, there was a better administration of the affairs of the locality. The question now before the House seemed to him to raise the whole question of the incidence of taxation. He did not think it possible to go into the question and restrict their observations solely to the subject of education. When they discussed the incidence of taxation it became necessary to refer not to education only, but to the question of local taxation generally. Therefore, if he wandered away from the question of education, it would not be because he did so intentionally, but simply because of the way in which the Resolution had been put before the House. As far as he was able to gather, the general tendency of those who had considered the subject of late had been to proceed exactly in an opposite direction to that now suggested by his hon. Friend the Member for East Gloucestershire (Mr. J. R. Yorke). There had been no tendency, so far as he had seen hitherto, to restrict and contract the areas of local taxation; but it had been the wish of everyone with whom he had been brought in contact to enlarge those areas, and more especially in regard to education. The question of education was so wide and so Imperial a subject, that the incidence of the taxation affecting it ought to be spread over a wider area than at present. What would be the result if the intention of his hon. Friend were carried out? In regard to that intention, he (Viscount Emlyn) took note only of the absolute wording of the Resolution, and it seemed to him that it might mean anything or nothing. He was, therefore, bound to couple with it the matter contained in the speech of his hon. Friend; and, as far as he was able to understand what his hon. Friend intended, it was, in rural and other parishes, to exempt the land entirely from taxation so far as education was concerned. His noble Friend the Member for North Northumberland (Earl Percy) seemed to think that, as far as the rural districts were affected, the case was entirely different from that of the localities referred to as borough districts; but how would the rural districts be effected? In some of these rural districts they found, not unnaturally, a considerable outcry in regard to the heavy rate that was collected for educational purposes. He did not propose to enter into the question of whose fault that was. His hon. Friend (Mr. J. R. Yorke) would cut out all the land, and put the charge upon the houses only; but did he think, if that were done, that the rate would be less heavily felt? It might be imposed upon fewer people; but the amount of money to be paid would be just the same, and some individuals would have to pay two or three times as much as they did now. Now, that would be moving in exactly the contrary direction to that which he thought they ought to proceed. He did not think that a larger amount of Imperial taxation should be devoted in aid of educational purposes. There were many reasons why that should not be done; but, to his mind, there was great room for the curtailment of the expenditure, not by the Imperial Government, but by the local authorities themselves, and he should be very much disinclined to lessen their responsibilities in the matter. He believed that the more the responsibility was placed on the local authorities the better. He thought there were good grounds for pressing to the front the argument that, education being an Imperial need, the cost of it should be borne, to a great extent, by the Imperial funds; but the more hon. Gentlemen studied the question the more they would satisfy themselves that the charge was borne, to a considerable extent, by Imperial funds at the present time. He thought anyone who had had any experience in the country would see that there was great carelessness in checking expenditure; and one great cure for it, and one which he would be very sorry to abolish, was that the burden should be felt in those districts in which the local authorities were the most lax in the matter of extravagance of expenditure. A question which had been raised by one or two hon. Gentlemen who had spoken on the question had reference to the propriety of dividing the expense between the landlord and the tenant; and the hon. Member for Falkirk (Mr. Ramsay), who had just addressed the House, alluded principally to that point. But it certainly appeared to him (Viscount Emlyn) that that was merely a question of the representation of those who paid the taxes. If they were going to make the landlord pay one-half and the tenant the other half, they must each have equal representation. No doubt much might be said in favour of making each pay half of the taxes, and giving each representation on the board, and forcing both to the front, compelling them to take part in the local management. Another question brought forward by his noble Friend the Member for North Northumberland was that of over-education. [Mr. WARTON: Hear, hear!] The hon. and learned Member near him (Mr. Warton) cheered that sentiment. As far as he (Viscount Emlyn) was able to gather, the only possible occasion on which they could object to over-education was where they prevented poor persons, or the children of poor persons, from earning their living by over-educating them, and compelling them to go to school. A strict limit should be placed as to how far they were to resort to absolute compulsion in the way of education. He did not say that compulsion had gone too far at present; but he had been glad to hear what fell from the right hon. Gentleman the Vice President of the Council in regard to the absolute necessity of using compulsion for children at an early age. He (Viscount Emlyn) himself, in his experience, had seen many and many a cruel case, in which the school boards had been obliged to step in at a time when the child should have been earning a certain amount of wages. And why was that? Simply because the school boards had not stepped in sooner. If the school boards had got the children into the schools at an earlier age, and if, at the first moment when it was considered necessary that a child should be at school, they had insisted upon its going there, the House would never have heard one word upon this question of compulsion, because the children would have passed all the necessary standards by the time they were old enough to earn anything worth mentioning. What should be done was to compel the attendance of the children at school at the earliest age the Act allowed compulsion to be used at all. If that were done, a great step would be made towards the removal and sweeping away of the objections that were heard now, that (owing not to the action of the Imperial Government, but owing to the laxity of the local authorities), the Education Act was constantly stepping in between the poor parents and the bread or wages which their children could earn. They heard much in regard to the expenses of the school boards. He thought they would employ their time better if they urged the local authorities in their own districts to diminish the expense of their own school boards. In some districts the local authorities took every pains, and used every means in their power, to diminish the expenditure and give to the children the best education possible; but, unfortunately, in other districts the authorities acted in a very different manner. Therefore, he hoped that whatever steps were taken in the direction of relief to local taxation, care would be taken to insure that there was co-operation on the part of the local authorities in diminishing the expenses of the school boards in their own districts. He had been very sorry to hear his noble Friend the Member for North Northumberland (Earl Percy) speak of the education which the school boards gave to children throughout the country as having an effect in the wrong direction upon the morality of the people. He could not conceive that his noble Friend had had experience in the matter. To judge of the justice of his remarks in this respect it was only necessary to call to mind many districts in which, before the passing of the Act of 1870, no education whatever was provided for a large percentage of the children of the poor, and to compare their condition then with their condition now, when efficient board schools were at work within them. No doubt, it would be said—"It is all very well for you to give this education to the children; but do you give them any religious or moral education?" But that was a question which had to be answered by the ratepayers in each district; and if these, as regarded the children who attended the elementary schools, could not be trusted to see that they received moral and religious education up to a certain point, then he despaired of the effect of any kind of local self-government in relation to those subjects. He was obliged to confess to a doubt as to whether his noble Friend was right, and whether he could bring before that House, or before any body of persons acquainted with the subject, any figures whatever to show that since the commencement of the operation of the Education Acts the morality of the lower classes, especially amongst the younger members of them, had deteriorated. For his own part, he (Viscount Emlyn) did not believe that that was the case; and he could not but feel that the eloquence which charged these deficiencies on the school boards would be better employed in appealing to the ratepayers of the country to insist, by their votes and influence, that moral and religious education should be given in the board schools of every district.

MR. THOMAS COLLINS said, he did not agree with the hon. Member for Mid Somersetshire (Mr. R. H. Paget), that it would have been better if the Resolution on the Paper could have been put to the test of a division, because it seemed to him that it was so vaguely drawn that it might mean anything or nothing. To say that, having regard to the unfairness of the incidence of school board rates, and the continual increase in their amount, some change in the system under which they were at present levied was urgently required, was simply an abstract Resolution, and one which did not even point out to the House the direction in which the injustice complained of took place, and which, if it were passed, would bind the House to nothing whatever. Therefore, although the discussion which had taken place was of a useful character, he saw no cause for regret that the House was not in a position to go to a division on the subject. With reference to the system of rating shadowed forth by the noble Viscount the Member for Carmarthen (Viscount Evelyn), he (Mr. T. Collins) believed it would be a monstrous act to make the area of rating union and not parochial. It would, in his opinion, be most unjust to call upon places that had established schools of their own to provide schools for other places where this duty had been neglected. He lived in a district where there were some 30 parishes or townships included in the Union, and in the whole of those 30 parishes there was only one in which there was a school board; and he asked whether it would not be a monstrous thing that the 29 townships in which the squire and the parson had provided schools should be called on to relieve the remaining solitary township of the burden very properly cast upon it? He protested against such a doctrine in every way, and sincerely hoped that nothing more would be heard of the proposal to make the area of rating non-parochial. He could not agree with the noble Earl the Member for North Northumberland (Earl Percy) that there was any failure on the part of the board schools to teach religion and morality; on the contrary, he believed that, on the whole, these subjects were satisfactorily treated in the education given in the bulk of the schools in England and Wales. A great deal was to be said on the question as to whether the rate ought to be divided, as suggested by the hon. Member for the Falkirk Burghs (Mr. Ramsay). He (Mr. T. Collins) did not feel especially enamoured of legislation on this subject by hon. Members who came from beyond the Tweed; but this question was a small one indeed, because everyone knew that the incidence of taxation, so far as land was concerned, eventually fell upon the owner; and if they were to alter the present system by making the rate a primary charge upon the owner, the tenant would have to pay more rent. To deal fairly with that, they ought to give the owner the right of voting, so that half the members of the school board should be elected by them, and half by the occupiers. The right hon. Gentleman the Vice President of the Council (Mr. Mundella) had hinted that, at a future day, some such tax as the house tax should be appropriated to local government purposes. It had always struck him (Mr. T. Collins), as an Income Tax Commissioner, that the burden of the house tax fell very heavily upon the trading classes, and, indeed, very unfairly upon them, because the large tradesman undoubtedly paid more than the country squire; and therefore he thought that if that tax, instead of remaining an Imperial tax, were given in aid of local taxation, it would greatly relieve the local burdens of the country. They often received promises from right hon. Gentlemen opposite, which were not fulfilled; but this of the right hon. Gentlemen he trusted would be carried into effect by the Prime Minister handing over the house tax at no distant day for the benefit of the local taxpayers. With regard to the question as to whether or not taxation for the purpose of education should be placed on the same footing as the sanitary tax, he believed that the occupier of purely agricultural land paid one-twelfth of that rate; and that, as a rule, in his own district, had always given satisfaction to the ratepayers. He was a member of the Sanitary Committee in his district, and he had never heard any person complain that the large agricultural tracts therein did not pay the same rate as dwelling-houses. Therefore, looking at the matter in the abstract, he believed, if the whole question were to be dealt with *de novo*, it would be a fair proposal, and one which would meet with general approval if a half, or some smaller proportion of the rate levied on the houses in the district, were charged upon agricultural land. As he had already pointed out, the Resolution before them might mean anything or nothing. He could not support it, because he did not consider it advisable to pledge the House to abstract Resolutions, especially when they did not point to some definite remedy. And, therefore, he should be prepared to vote for going into Committee of Supply.

LAND LAW (IRELAND) ACT, 1881—THE FREE SALE CLAUSE.

OBSERVATIONS.

Mr. HEALY said, he wished to call the attention of the House to a remarkable legal decision given by a County Court Judge in Ulster under the Land Act. As there was some intention on the part of the Government to amend the Act, he brought the case before the House for the purpose of illustrating the manner in which it was now working. The Land Act provided that a tenant might sell his tenancy for the best price he could obtain for it; but, unfortunately, there was a condition that the landlord had the right of preemption, and that where there was a dispute between the landlord and tenant, the Court might interfere and fix the rent and price of the holding. The case he referred to came before the County Court in Monaghan, and was between the Earl of Dartrey and a tenant named Jebb, who desired to sell the value of his holding for £120. The new tenant entered into possession; but no sooner did that take place than the Earl of Dartrey served a notice upon him, to the effect that he was not his tenant, because he, the landlord, had not received notice as prescribed by the Land Act. The prescribed notice of the intention of the original tenant to sell was, therefore, served upon the Earl of Dartrey; whereupon, although the sale was practically made in open market, the noble Earl served notice upon the tenant who had entered into possession, bought seed, and ploughed the land, that he did not agree to the sale, and that he should apply to the Court to have the true value of the tenancy fixed. The noble Earl accordingly took the tenant before the County Court Judge, who, it would seem, was an official of peculiar ideas, for, not very long ago, he had sentenced a man to be hanged for stealing a goat. The Judge was Mr. Newell Barron. The House would bear in mind that the transaction by which £120 had passed for the farm had taken place. Nevertheless, Mr. Barron said to the new tenant—"You shall not pay £120 for the farm;" and to the old tenant—"You shall not have £120 for the farm. I fix the true value of the tenancy at £66, and you must lose £54." If that was free sale, the principle that a tenant might sell his tenancy for the best price he could get was illusory. So far as this clause was concerned, he (Mr. Healy) himself was entirely free from any difficulty, for he had never given it any confidence whatever. He was almost the only Member of his Party who had voted against it; and he opposed it, followed by the hon. Member for Cavan and one or two other Members, because, as a whole, instead of being any benefit to the tenant, it took away from them something which they already possessed. If a man had fixity of tenure and a fair rent, free sale followed as a natural consequence without any legislative enactment whatever; for if he had a farm at £100 a-year, and had the right to stop in it as long as he liked, it followed, without any legislative enactment, that he could part with that farm, and sell it in the open market. Therefore, he contended that the 1st clause of this Act was actually useless and prejudicial to the tenant, because, as anyone who looked into the Act would see, the conditions which a tenant had to fulfil when he sold his farm were very onerous. The tenant must give a prescribed notice, and on the receipt of such notice the landlord had a right of pre-emption, and might object to the sale of a tenancy to some other person. He should scarcely have objected if this extraordinary proceeding on the part of Judge Barron had occurred in the case of a statutory tenant who had taken advantage of the Act and invoked its benefits; but this was not the case of a statutory tenant, and that made it all the more grievous. He had put down an Amendment which would have excluded tenants other than statutory tenants from the benefits of the Free Sale Clause, because why should a man who was not obliged have these alleged benefits thrust down his throat? No one was compelled to go into Court to get a fair rent, and why should this clause be forced on a man? Until tenants applied for statutory conditions, this Free Sale Clause ought not to be imposed upon them. If a tenant went into Court and invoked the protection of the Act, he must take it, good or bad; and in the case of a statutory tenant the same grievance did not exist, because he had invoked the benefits of the Act, and he must take the bad conditions with the good. Under the ancient Ulster tenant right a tenant had a right of free sale without the intervention of Judge Barron, or anybody else; and what had now been done was wrong. If a tenant was a statutory tenant, he would know that he must be subject to the accidents of judicial decisions, and so on; and, therefore, it was all the harder that statutory conditions—and especially this 1st clause—should be imposed on the people who had not applied for them. Above all, there was an exceptional grievance in the case of the Ulster tenants. They had at all times, where the custom prevailed, had a right of free sale; but what had now been done? He did not profess to speak with great authority, because this Act was so voluminous and extraordinary that a man could not keep it in his head; but the Ulster tenant had a right to sell his tenancy subject to the custom or usage, but he was now compelled to apply for a statutory term. He would like to know from the Government whether an Ulster tenant who enjoyed the Ulster tenant right, and was told that he might sell his tenancy under his own usage, or under the usage prescribed by this Act, was to be compelled to accept the decision of a man like Judge Barron? Was a landlord to have the power of saying—"Although you might have sold your right under the Ulster Custom, I should, under this Act, compel you to come in and sell in the Court?" Articles had been written in several Ulster papers upon this matter; and he was very happy to see that the hon. Member for Monaghan (Mr. Givan), to whom he had spoken upon the subject, had put a Notice on the Paper, in the form of a Question upon the matter. The hon. Member was now present. The right hon. and learned Gentleman the Attorney General for Ireland was in possession of the facts of the case; and he should, therefore, like to know what the view of the Government was? He would show the House the spirit in which the County Court Judges dealt with the Act. When this claim came before the Court, in order to prove that there was no collusion between the seller and the assignee, the vendor called in the auctioneer—a Mr. John Treanon. He was examined, and proved that he sold the farm in question. There was a good competion, but Mr. Caldwell was declared the purchaser. Witness received the purchase money, and handed it over subsequently to Henry Jebb. Then the Judge—and to this he invited the attention of the House, and especially of the right hon. and learned Attorney General, who, he believed, exercised some jurisdiction over the County Court Judge—asked—

> "Do you undertake to give legal advice?
>
> "Mr. Treanon: I do not, my Lord. I considered myself justified in telling the people that freedom of sale existed now; but I do not think that legal advice.
>
> "His Lordship: You should not be proclaiming dangerous doctrines."

That was to say that, under the Act of 1881, in the first lines of which the Prime Minister said the tenant might sell his tenancy for the best price he could get, nevertheless Her Majesty's County Court Judge said that was preaching a dangerous doctrine. Was that the view of the right hon. and learned Attorney General; and, if not, what notice was to be taken of this extraordinary decision by Judge Barron? Then mark the animus all through that statement. Mr. Treanon went on to say—

> "It cannot be a very dangerous doctrine to tell the farmers that they have free sale under the new Land Act.
>
> "His Lordship: Well, stick to your auctions, and leave the law alone."

He (Mr. Healy) should think that man would be strongly inclined to let the law alone, if it involved a loss of nearly £60, and when the Court came in and acted as auctioneer, and cut down the market value of the tenancy from £120 to £66. It could not be said that the Government were not fairly warned of what would happen when this clause was under consideration. He (Mr. Healy) had endeavoured to minimize it as much as possible, and put down an Amendment, declaring that the landlord, where he reserved the right of preemption, should give as high a price as anyone else. What was the answer of the right hon. and learned Gentleman the Attorney General for Ireland? That it would expose the landlords to the action of the "puffers"—or, as the hon. Member for Cavan (Mr. Biggar) called them, the "sweeteners"— who would put up the price. He therefore withdrew the Amendment, and proposed that the words "market value" should be inserted; but the Government refused to agree to that, and adopted the words "true value." Twelve months after that, what was declared in the open market to be worth £120 was declared by the County Court Judge to be worth only £66. That was a very extraordinary decision, and was certain to cause a considerable amount of dissatisfaction; and, as the Government had now in view some amendment of the Act, he trusted they would include some amendment of this clause, even if they did not repeal it. He objected to it as delusive and illusory. He was sorry to find that his prediction had been too well verified; while the Government had not been justified in their prophecies, on the strength of which they had refused the reasonable Amendments which were proposed from his side of the House.

Mr. GIVAN said, the effect of this decision had been to rob a respectable farmer of nearly £60, and that had created widespread dissatisfaction throughout the North of Ireland. The importance of the matter could not be exaggerated. They must bear in mind, when they came to consider the conduct of the County Court Judge in this case, what the County Court Judges did, under the Act of 1870, in assessing the value of tenant right. A tenant proved that a certain sum had been offered by a certain purchaser; and, notwithstanding evidence that the offer was *bonâ fide*, and the purchaser could not reasonably be objected to, the County Court Judges rarely in such cases gave the out-going tenants anything for their improvements. That conduct induced many hon. Members last year to object most strenuously to throwing the tenants under the new Act into the hands of the County Court Judges, and to insist on the establishment of a separate Court for the administration of the law between landlord and tenant. But now the County Court Judges had commenced the same operation as under the Act of 1870; and the hon. Member for Wexford (Mr. Healy) had omitted to mention one circumstance which, more than any other, had deprived tenants of the benefit of the Act of 1870, and to prevent the perpetuation of which several Amendments were proposed by hon. Members opposite last year—namely, the introduction of usage. The County Court Judges had declared that usage under the Act of 1870 included the local usages set up by agents in the management of their estates. In the case of one estate, he had heard the agent admit that he was aware much larger sums were given *sub rosa*, yet he could only obtain in the Court the £10 per acre under the office rule, which was the maximum amount the out-going tenant could get. He thought it was important that the House should take notice of the matter to which the hon. Gentleman the Member for Wexford (Mr. Healy) had properly drawn attention, and that the Law Officers of the Crown should express in the House their condemnation of a proceeding which was utterly unjust and unjustifiable, and without any foundation whatsoever. That the sale was *bonâ fide* was not questioned; there was no objection to the purchaser, and no reason was assigned for this act of gross injustice.

MR. BULWER said, he had not intended to take part in this discussion; but he rose to express a feeling which he hoped was shared by many hon. Members of the House. Hardly an opportunity ever arose in the House to call attention to any matter connected with Irish administration, but it was taken advantage of by Irish Members to bring forward accusations of the most offensive character against some gentleman or other behind his back. The Judge complained of had no notice that the hon. Member for Wexford (Mr. Healy) intended to bring these accusations against him which had now been heard; and his (Mr. Bulwer's) feelings revolted against that gentleman's name being introduced into the House of Commons for the purpose of holding him up to ridicule and contempt, without any notice being given him, and probably without any person being in the House who knew anything about the case and able to stand up and defend him. The decision complained of might be right or it might be wrong. If right, it afforded fair ground for argument that the Act which permitted it should be amended. If wrong, it would be set right on appeal. But whether right or wrong, what justification, was there for making an abusive personal attack upon the Judge? In all probability that decision had been appealed against. [Several Irish MEMBERS: No.] Then he presumed the man had acquiesced in the decision; for if he had not, he did not believe that the Court could give an unjust decision without there being some means of remedying it. Then the hon. Member had told them that this County Court Judge had sentenced a man to be hung for having stolen a goat, and this simply in order to bring the Judge into contempt before the House, and before those amongst whom he administered justice. And what authority, he should like to know, was there for saying that any such occurrence ever took place? He had followed the remarks of the hon. Member for Wexford as closely as he could, and noticed this observation—that a tenant who wanted to sell his tenant right ought to be allowed to get any sum he could for it. That, in the tenant's case, the hon. Member called free sale. He (Mr. Bulwer) believed that no hon. Member had listened with greater weariness than himself to the interminable contention by hon. Members below the Gangway on that (the Opposition) side of the House, that while a tenant should be allowed to get the best price he could by a sale of his interest, even to the prejudice of the landlord, the landlord, on the other hand, was not to be allowed to get the best price he could for his interest. There was to be freedom for the tenant, but chains for the landlord. However, he had risen now for the purpose of entering his protest against a practice which seemed to prevail in the House—namely, of bringing forward Motions, and, under cover of them, attacking gentlemen who had no opportunity of defending themselves.

MR. SEXTON thought the House would have lost very little if the hon. and learned Member for Cambridgeshire (Mr. Bulwer) had not interposed between the hon. Members for Wexford and Monaghan and the Law Officer of the Crown, who was about to reply to them. Such hon. Members might have a knowledge of England; but they had not, nor could they be expected to have, a knowledge of Ireland and the provocation that was given in that country for charges of this kind. It was as painful to the Irish Members to lay under the necessity of having continually to call attention to the conduct of officials in Ireland, as it was for the hon. and learned Member to have to listen to these complaints. The best proof of the utility and effectiveness of these repeated complaints was to be found in the admission laid on the Table of the House by the First Minister of the Crown, in answer to the hon. Member for Longford County; and until the ranks of officialism in Ireland were cleared of such men as Judge Barron, no advance could be made there in the cause of good government. When an hon. Member made such a complaint as that they had heard from the hon. Member for Wexford, he should be protected against such attacks as that of the hon. and learned Gentleman. The hon. Member for Wexford had availed himself of his right as a Member of that Supreme Legislature, and had done nothing more than his duty, and nothing more than was done by every newspaper in the country. When a public official, who was public property, gave a judgment in open Court, why should a Member of the House of Commons, of all Bodies in the world, be debarred from criticizing it? Every newspaper in the country was at liberty to criticize it. It was absurd to suppose, moreover, that before the conduct of public officials was called in question, notice of such intention should be given to those officials, in order that they might prepare replies—replies which, in all probability, would not compare favourably with the charges made. He (Mr. Sexton) claimed the right in that House of calling in question the conduct and language of any public functionary, without going to the trouble of giving the individual complained of notice of his intention. He acquitted the hon. and learned Member (Mr. Bulwer) of the charge of bad taste, partly because of his ignorance of Ireland, and partly because of the tenderness of his nature, which induced him to hasten to the assistance of people who were attacked; but, at the same time, he must say that the hon. and learned Member had imposed on the House an interlude which might have been well spared. Tenants who did not enjoy the advantages of the Act should not be put under its disadvantages. He hoped the right hon. and learned Gentleman the Attorney General for Ireland would be able to tell them that the 1st clause of the Land Act was not a delusion and a snare; that the tenant was entitled to what the Land Act declared to be his right; and that no County Court Judge should interpose between him and that right.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, he was sure the hon. Member who had brought forward the subject (Mr. Healy) had only suggested that the Act should be amended by way of a joke; and as for the stern observations he had used they were hardly called for. No one denied that it was not the right of an hon. Member to call attention to the conduct of a public official; but it was always desirable that an opportunity should be given to the individual complained of to make an explanation, especially when the complaint made was calculated to throw discredit upon an important body of gentlemen. He himself (the Attorney General for Ireland) was not always quite so free from joke as, perhaps, he ought to be; and it was probably natural for others to be the same. But, getting over this point as they best could—for it was entirely beside the question—he would point out that the County Court Judge was not by any means one of the official administrators of the Act; neither was he—so much the better, of course, for him—subject to the jurisdiction which the Attorney General for Ireland exercised over some officials, and sometimes, he was afraid, with a little severity. He could not admit that any official statement had been made by the Prime Minister which should lead to the conclusion that, as the hon. Member had said—"Nothing in the shape of good government could be done until officialism has cleared of such people as Judge Barron." But, to come to the question before the House, what he understood the hon. Member (Mr. Healy) to do was to take as his text a case which had appeared in the newspapers. Assuming for the purposes of that discussion that that case was correctly reported, it was not to be expected that a tenant, especially if he was a stern and sturdy tenant from the black North, would sit quiet under the grievance of losing what, for practical purposes, might be said to be half the value of his property. It must be remembered that though the decision of the County Court Judge in these matters was not subject to appeal to the Judges of Assize, it was subject to appeal to the Land Commission, which was a Court peculiarly capable of dealing with this subject, which formed a special and distinct branch of what he might call jurisprudence. No one could express too strongly the view that every tenant in Ireland, whether in Ulster or out of it, under the Act of 1881 possessed in the most ample degree the absolute power of free sale—of selling his tenancy for the best price he could get for it. The Ulster Custom might—and did in some cases—subject the tenant to a great many fetters. There were the office rules, and other things which had grown up, to regulate the value of the Ulster tenant's interest in his holding; therefore, there was a section securing to the tenant his rights under this custom. But as there were other parts where the custom did not prevail, there was a section inserted giving the tenant the utmost amount which could be realized by him as fair purchase money of his interest. The tenant had the option of selling under the Ulster Custom, or under the Free Sale Clause, which conferred a full right upon every tenant in Ireland. He did not think it would be possible to express this in language clearer than that contained in the Act, or that it would be possible to amend the section by any words with which he, at any rate, was acquainted, to confer more distinctly on the tenant the legal right which the Statute intended to give him. That section, which everyone knew by this time was the 1st section, commenced with the declaration that the tenant of any holding not especially exempted might sell his tenancy for the best price he could obtain for it. [Mr. HEALY: Read the 3rd sub-section.] He was coming to that. The regulations by which the tenant was controlled followed afterwards, and the intermediate sub-section was inserted because it was considered right—he did not think the matter went to a division—that the landlord should have the power to go into the market, in the same way as if he were an ordinary purchaser, and exercise the right of pre-emption if the tenant was not prejudiced thereby. The Land Commission was, for this reason, authorized to make rules requiring that the landlord should have a fortnight's notice of the intention of the tenant to sell. Accordingly, when a tenant wanted to sell, he had to serve a fortnight's notice on the landlord, on a simple form prescribed. In the case pointed out this had not been done; but the tenant sold in the open market for £120, and he had been informed — and had no doubt it was true — that the sale was a *bonâ fide* one. The tenant, it was said, had been offered £115 by another purchaser; therefore, it was not a fancy price that a person was about to give. He was told—and, for the sake of argument, he would assume it was a fact—that the purchaser was described thus—"A respectable man; he was industrious; his character was exemplary; and he was in religion"—and this, he presumed, would be esteemed a qualification in that part of the country—"a Protestant." The man was considered an exceptionally good purchaser; but the landlord had his right to pre-emption, and to sell without giving him notice was an injustice to him.

MR. HEALY said, the tenant had a right to sell under the Ulster Custom, under which it was not necessary to give the landlord notice of intended sale.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that in this case the tenant was unable to sell without notice, owing to the office rules to which notice had been drawn. The 3rd sub-section provided that—

> "On receiving such notice the landlord may purchase the tenancy for such sum as may be agreed on, or, in the event of disagreement, may be ascertained by the Court to be the true value thereof."

Now, he apprehended that it would be impossible to express in the English language, or any language he was acquainted with, or in any words he was acquainted with, more clearly the real measure of price which ought to be given by the landlord to a tenant. The price was not to be an inflated one; and in a case of this kind, where no notice of sale was given to the landlord, the price given might have been a fancy one, and therefore an unfair one, and to fix the landlord to that might have been an injustice. He understood that to be the true price which was as much opposed to an inflated price on the one hand as it was to a depreciated price on the other. He could not understand how any reasonable person—it did not, in his opinion, require a Judge to fix it—could hesitate for one moment in giving what was a fair price, when he had to decide as between vendor and purchaser. Therefore, he could imagine that it was necessary to amend the Act, and he repeated that probably the hon. Member was joking when he suggested that that course should be adopted. Even supposing that the decision in question was an incorrect one, it was, at any rate, an isolated one; and surely an isolated decision could not call for amendment of the Act any more than that one swallow would make a summer. As the hon. and learned Member for Cambridgeshire (Mr. Bulwer) had observed, the decisions of all Judges were subject to an appeal; and the Act, in order to prevent any injustice being done, provided, in the 47th section, in the plainest terms, that anyone who felt aggrieved by a decision of a Civil Bill Court might appeal to the Land Commissioners, who were invested with most ample powers, not only to affirm or reverse, but to modify that decision. Therefore, he apprehended that if a decision had been given by which the true value—"real" value it had been proposed to insert in the Bill, but it was thought that no more correct description than "true" value could be found—was not awarded, but reduced from £120 to £66, the decision ought to be appealed against; and he had no doubt it would be appealed against, if the tenant's legal adviser thought he had any chance of getting his costs in the case. The auctioneer in this case differed from the Judge; but the auctioneer had an interest in the case. It was said—and, no doubt, it was the fact—that the auctioneer was paid a percentage, and that his fee, which, otherwise, would have been £6, was cut down, by the reduction of the price of the tenant's right, to £3. No doubt, the auctioneer, like all professional gentlemen, wished to get his price as honestly as he could. He was one of an industrious class, who were a credit to the country; but a little law was always a dangerous thing. It would be very hard for the House to visit with censure a Judge who had given a very fair interpretation of the Act. It was not possible for any reasonable man on the Bench or off it, in this House or out of it, to doubt what the Statute conferred on every tenant. It conferred on every tenant in Ireland the right to sell his holding or his estate for the best price—not an inflated one, on the one hand, nor a depreciated one, on the other. It left to the tenant the option of getting the price by the Ulster Custom, if he thought he could secure a better price that way, or under the Statute. Surely they could not do more for the tenants of Ireland than give them this option. No doubt, if a grievance had been suffered, he who was aggrieved, if he thought he could get his costs, would appeal; and if he was successful, no doubt the triumph he would achieve would amply compensate him for any inconvenience or loss of time he might have suffered.

Mr. LEA said, he wished to make just one observation before the matter dropped. When the Land Bill was before the House last year, they had several Amendments on the Paper to make this portion of it as clear and as plain as possible. He had had an Amendment down bearing on this very point. He had moved that the words "fair market value" should be inserted in the measure, in order that they might avoid any mistake, such as that which had been mentioned by the hon. Member for Wexford (Mr. Healy). Unfortunately, hon. Members would not accept the opinion of Irish Members, and followed the Government into the Lobby; but he would undertake to say that if his words had been inserted, the County Court Judge who had been alluded to would not have made the error complained of. He hoped they would shortly have before them a Bill to amend the Land Act, and that the Government would take care that the language of the measure was as plain as possible. He trusted also that in that future legislation the Government would not be too proud to accept Amendments, moved by their supporters, to avoid mistakes of this kind, which not only damaged their legislation very much, but created distrust and want of confidence on the part of the tenantry in Ireland.

Mr. WARTON said, he only wished to make one short observation. He had listened, as he always did, with pleasure to the statement of the right hon. and learned Gentleman the Attorney General for Ireland; but, at the same time, he did not think that any statement that could have been made could have been more decidedly against the County Court Judge. The thing should have been dealt with as a plain matter of law.

Mr. P. MARTIN said, he agreed with the hon. Member for the County of Donegal (Mr. Lea) that the mistake which, if the statement was correct, the County Court Judge had, in his opinion, committed, was, in great measure, occasioned by the clumsy drafting of the clause contained in the Act. Like many other sections, the 1st section of the Land Act was most inartistically worded, and likely to create confusion or perplexity on construction. The hon. Member for Wexford (Mr. Healy) had pointed out that the right the tenant was entitled to under the Act was the right he was entitled to at Common Law — namely, to obtain the best price for his holding that could be secured by sale. The Act accordingly used the words "best price;" but in the 3rd section the words "true value" occurred, which apparently showed that the Legislature contemplated something entirely different from that they had in their mind when framing the preceding part of the scheme. In another part of the Act "true value" and "fair value" were used, showing clearly that there were different interpretations put upon the value. Under the circumstances, as it was determined that they were to have an amendment of the Land Act this year, and as the Prime Minister had said that the subject should shortly be brought under the notice of the House, he did think he was entitled to point out that it was a matter of paramount importance to the tenantry in Ireland that what was so obscure in the clauses of the Act of Parliament should be made clear. The principle of the Act was right; but let not the right hon. and learned Gentleman the Attorney General for Ireland imagine for one instant that this which had been pointed out was the solitary instance of the difficulty, in regard to the construction to be placed on the words of the section. Unless there had been some confusion as to the meaning of the words, he did not see how the Judge could have come to the decision at which he was stated to have arrived. The decision had inflicted on the tenant a loss—and a most serious loss it would be to a man in his position—of some £60. He might remind the House, not in this section merely, but throughout the Act, most serious difficulties in ascertaining the true meaning of the Legislature had been felt, especially in a matter most material—namely, setting a specified value on the tenancy under the Act. Many of the gentlemen acting as Land Commissioners had pointed to the difficulty they experienced in attaching a true legal meaning to those words. The right hon. and learned Gentleman the Attorney General for Ireland had treated the matter very lightly. It would be well for the right hon. and learned Gentleman to make up his mind to apply himself, when the new Bill was presented to the House, to getting rid of the difficulties and obscurities which, unfortunately, existed in this Act of Parliament.

Motion, by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

SETTLED LAND BILL [*Lords*]—[BILL 120.]

(*Sir R. Assheton Cross.*)

SECOND READING.

Order for Second Reading read.

SIR R. ASSHETON CROSS said, he was afraid he should have to put the second reading off until Tuesday.

MR. ARTHUR ARNOLD said, that in three successive Sessions he had given a Notice of opposition, which was, practically, a Motion for the rejection of the Bill. Whenever the second reading was moved, he should be prepared to state the reasons which had led him to take that course. He was not moved by a desire to hinder the discussion of that important measure; but, on the contrary, he joined with the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) in the desire that an opportunity, somewhat earlier than half-an-hour after midnight, should be obtained for the discussion of the policy of a Bill which had come to this House from a most distinguished and learned Lord, who was held in high respect on both sides of the House.

SIR R. ASSHETON CROSS: I am very glad to hear that I am to have, at all events, the qualified support of the hon. Gentleman the Member for Salford (Mr. Arthur Arnold). I do hope he will give us an opportunity, some time or other, for the discussion of the measure. If the block remains against it, I am afraid there is little chance of its coming on. I will put it down for Tuesday—I do not wish to press it unduly; but I know that my hon. and learned Friend the Attorney General wishes that some means may be found for discussing it, and I, therefore, trust he will assist me in securing an opportunity for bringing it before the House.

Second Reading *deferred* till *Tuesday* next.

WAYS AND MEANS.

CONSOLIDATED FUND (NO. 3) BILL.

Resolutions [May 4] *reported,* and *agreed to:*—Bill *ordered* to be brought in by Mr. PLAYFAIR, Mr. CHANCELLOR of the EXCHEQUER, and Sir ARTHUR HAYTER.

MOTION.

PIER AND HARBOUR PROVISIONAL ORDERS (NO. 2) BILL.

On Motion of Mr. ASHLEY, Bill to confirm certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Eyemouth, Greenock, and Rothesay, *ordered* to be brought in by Mr. ASHLEY and Mr. CHAMBERLAIN.

Bill *presented*, and read the first time. [Bill 150.]

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at half after One o'clock till Monday next.

HOUSE OF LORDS,

Monday, 8th May, 1882.

STATE OF IRELAND—THE ASSASSINATION OF LORD FREDERICK CAVENDISH AND MR. BURKE.

MOTION FOR ADJOURNMENT.

EARL **GRANVILLE**: My Lords, I rise to move the adjournment of this House until to-morrow. I have not a doubt that after the ghastly and appalling tragedy of Saturday I am in sympathy with all your Lordships' feelings, which I believe represent the feelings of the whole Empire. I have not any personal knowledge of the work of the Under Secretary; but I believe there are noble Lords on both sides of this House who are well aware of how distinguished a type he was of the permanent civil servant of this country placed in a position of great difficulty. My Lords, I have known intimately for many years Lord Frederick Cavendish, and I have never known a higher or a finer nature. He was absolutely without personal vanity, without any love of display; but his great ability, his knowledge, and his industry only required a difficult position in order to show the metal of which he was made. He was reluctant to leave the Office which he filled so well; but, like a soldier, he obeyed without one moment's hesitation the call of duty to a place of enormous difficulty. He has suffered a miserable death, but one glorious to himself, dying, as he did, in the service of his country. That death has left a noble woman desolate, and may we all join in her most courageous prayer at this moment that God may influence the results of this fearful crime in a manner contrary to the hopes and expectations of its perpetrators, and that it may result in the eventual good of Ireland. I have nothing more to say, my Lords. It would be perfectly incongruous in me to touch on any political subject. You will, however, perhaps allow me to state one matter of fact. Your Lordships are well aware that some days ago I announced the intention of Her Majesty's Government to propose to Parliament three measures—one with regard to strengthening the administration of justice and the security of private rights in Ireland, one affecting arrears, and another affecting what are called the Bright Clauses. Her Majesty's Government adhere to that intention. After very careful consideration by a Committee of the Cabinet, and by the Cabinet itself, a Bill for the first of these objects was drafted before the end of last week. It still requires some little consideration as to some of its details; but it is hoped that the Government will be able to ask the House of Commons next Thursday to give a first reading to that Bill.

Moved, "That this House do now adjourn."—(*The Earl Granville.*)

THE MARQUESS OF **SALISBURY**: My Lords, I have only to tender to the noble Earl, on the part of my noble Friends who sit behind me, our hearty concurrence in the course which he has proposed, and the expression of our deep grief and sympathy with those who have suffered, and our indignation at the horrible crime which has been perpetrated. I agree with the noble Earl that this is not the occasion for any political observations. I have no doubt that the course he has taken to-night is only the prelude to stern and vigorous action; but now, at this moment, what we have to do is to mark by this tribute of respect our reverence for the memory and our grief for the fate of one who, if ever any statesman did, deserved the expression of those sentiments at the hands of those who worked with him in Parliamentary life. He belonged to a family greatly esteemed and respected in this country; and he himself, by his blameless qualities, by his endearing personal characteristics, had won the love and honour of all who knew him. His loss will be deeply mourned. What else may come of it, what else we should do, another day and another opportunity will disclose. At the present moment we merely concur with the noble Earl in this step as a fitting tribute to the memory and qualities of those whom we have lost, and as a fitting expression of our deep sense of the terrible import and character of this event, and as a mode of offering our respectful sympathy with those who have been so deeply tried and afflicted.

EARL COWPER: My Lords, I do not wish to delay the House, but I can hardly refrain from saying just one word on this painful subject. A worthy tribute has been paid to the loss which has been sustained in the death of Lord Frederick Cavendish. He was a man well known in both Houses of Parliament, and I concur in all that has been said respecting him. But I wish to say one word in regard to Mr. Burke, with whom I have been in constant daily intercourse for the last two years. I feel that in him the country has sustained an irreparable loss. This moment is not the time when we can afford in Ireland to lose such a man. He had that full integrity of character, that honourable uprightness of mind, which, I am happy to say, are not rare among our permanent officials. He had also other qualities which neither among permanent officials nor in any other class are so common. He had extraordinary quickness of decision and soundness of judgment, and also a depth of sympathy with all classes, joined to a fixed feeling in his own mind of the necessity of preserving authority. He had these and many other qualities which, as I have said, will cause his loss to be irreparable, and which made him a most valuable counsellor in times like the present.

THE DUKE OF MARLBOROUGH: My Lords, I should not be doing justice to my own feeling on the present occasion if I were not to trouble your Lordships with a few words in corroboration of those sentiments which have been so ably and eloquently expressed by the noble Earl who has just left Ireland. My Lords, I allude to that most industrious and valuable public servant, whose loss, I may say, is almost irreparable in that country—Mr. Thomas Burke. My Lords, during the three years when I was in Ireland I had the advantage of being in constant and daily intercourse with him. I had not only the advantage, but the privilege, of learning a great part of my official duties from the vast store of his experience. I can fully endorse what has fallen from the noble Earl (Earl Cowper). I know no public servant who more brightly and honourably reflected those great qualities which are so valuable in the permanent official servants of this country. My Lords, I know no one whose depth of knowledge, whose experience, were equal to Mr. Burke's; and if he had not been in the official capacity which he occupied, I have not a doubt that Mr. Burke would have risen to one of the highest posts of eminence from his administrative ability. Ireland has suffered a great loss by the death of that gentleman. I had the honour of, and shall have the pleasure of reflecting upon, his friendship. There was one peculiar characteristic connected with Mr. Burke, and that was this—that during the period of three years of my official connection with an Administration which was politically opposed to Mr. Burke's own principles, I can say that I never could have found anyone of a more faithful, devoted, and more self-forgetting loyalty to those who were his official superiors. In no one instance could I find the slightest movement away from those duties which properly belonged to him in his official capacity. My Lords, there was one very trying period during which I had the advantage of Mr. Burke's assistance, and that was during the semi-famine winter of 1879-80. It is due to Mr. Burke to say that he foresaw the calamities that were threatening Ireland, and that his experience and knowledge of the country, and of what had taken place on former occasions in that country, enabled him to foresee the probability that there would be a scarcity of provisions during the winter. He advised me, and through him I was enabled to take those necessary steps of forewarning the Government of what was likely to occur during the winter. Those vaticinations were amply verified, and the precautions which Mr. Burke induced me to take on that occasion, and which were so ably seconded and carried out by the Government of Lord Beaconsfield, were the means of preventing a vast amount of want and distress in that country. My Lords, not only must I allude to this, but I feel a debt of gratitude is due which I should not fitly discharge if I did not at this moment refer to one other circumstance. There are those to whom Mr. Burke's loss will be irreparable; there are those who are now sorrowing and mourning over this dreadful event. There was a near relative of Mr. Burke's—his sister—who during that trying time rendered him the most efficient service in alleviating the distress which existed, and, by her able co-operation, assisted that fund which my wife was enabled to set going, and which, I believe, was the means of saving a vast amount of human life during that trying period. Mr. Burke has passed away, and I quite agree with the feeling and wish of your Lordships that these few utterances should be merely a tribute of respect for one who is so justly mourned. I will not digress from that now. I trust that Mr. Burke's memory will long remain in Ireland, beloved, as it will be, by all who knew him. Your Lordships must remember that not only his loss, but the death of many others, perhaps less notable, more humble, but still no less important to those around them, has cast upon the Government an enormous responsibility.

Lord CARLINGFORD: My Lords, I hope you will forgive me if I add one or two words of tribute to the memory of that one of these two martyrs to public duty who is less known to the greater number of your Lordships—I mean the memory of Mr. Burke. It so happens that in former years he and I were closely connected by ties of both official and private friendship. At one time he was my Private Secretary, and it was largely through my means and recommendation that he was appointed to the Office which he has so long, so honourably, and so admirably filled. I need not say how entirely I agree with every word which has been said about him on both sides of the House. It is to me a matter of pleasure, in this moment of calamity, and even of pride, to have heard his character and services spoken of as they have been spoken of by two ex-Lord Lieutenants of Ireland on different sides of this House. I believe that the character of Mr. Burke and his conduct have been subjected to attacks of late from certain quarters. But if any have represented him in the discharge of his duties as a man of arbitrary and tyrannical sentiments, as I believe has been the case, I can only say that the malignancy of such representations is only equalled by the absolute ignorance which they display of the character of that noble public servant.

Motion *agreed to.*

House adjourned at a quarter before
Five o'clock, till To-morrow,
a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 8*th May*, 1882.

MINUTES.]—Public Bills—*Ordered—First Reading*—Local Government Provisional Orders (No. 3) * [152].

First Reading—Consolidated Fund (No. 3) *.

Second Reading—Pier and Harbour Provisional Orders * [142].

Third Reading—Local Government (Highways) Provisional Order * [129], and *passed*.

MOTIONS.

STATE OF IRELAND—THE ASSASSINATION OF LORD FREDERICK CAVENDISH AND MR. BURKE.

MOTION FOR ADJOURNMENT.

Mr. GLADSTONE: Sir, I rise for a purpose which I think the House will anticipate; it is to move the immediate adjournment of the House. It is a course, I believe, Sir, that will be found in conformity with what has been done on previous occasions when sad events have come home to the mind of Parliament and the public. I believe, Sir, that this event, made known on Saturday night and yesterday morning, is unparalleled in our history—and unparalleled for the blackness of the crime which has been committed—unparalleled, as I fully believe, for the horror it has excited in the entire people of the United Kingdom. Having said that, I shall make this Motion, I will say—and I promise the House to be as brief as I can, since I must, in a very few words, advert to the character of the event—that in the death of Mr. Burke we are robbed of one of the ablest, the most upright, the most experienced, the most eminent members of that Civil Service to which, in the hands of its permanent officers, we owe so much in the government of the country. But, Sir, the hand of the assassin has come nearer home; and though I feel it difficult to say a word, yet I must say that one of the very noblest hearts in England has ceased to beat, and has ceased at the very moment when it was just devoted to the service of Ireland, full of love for that country, full of hope for her future, full of capacity to render her service. Sir, under these circumstances, on which I will not dwell, so far as the Government is concerned, all previous arrangements and intentions must be reconsidered, and, to a certain extent, recast. I do not think that this is the occasion to touch upon Business, for, in truth, the very aim of such an adjournment is to testify the feeling of the House that it is not in a state at the moment to grapple with the serious cares of Parliamentary Business. I will, therefore, limit myself, Sir, to giving Notice that we shall think it our duty to ask the attention of the House at once to what is felt to be most deeply pressing, and what I believe, in the present state of the sentiments of the House, will be found to be perfectly practicable. We intend to ask the House on Thursday next to permit us to introduce a measure relating to the repression of crime in Ireland, and we have the fullest confidence that if that measure really corresponds in its spirit to what it ought to be, we shall be duly supported and assisted in its various stages by the sentiments of all quarters of the House. That, Sir, will be on Thursday next. Next to that, and I hope upon an early day, we shall introduce a measure with respect to the question of arrears in Ireland; but it will be felt that I cannot name a day for that purpose, inasmuch as it must necessarily depend upon the progress we may make in the stages of the earlier measure. It will not be delayed one day beyond what necessity requires, and I earnestly hope that the postponement will be very short. I think I ought to add nothing to the words I have said. I thank the House for having assisted in the performance of the most painful task that ever devolved upon me when standing at this Table. I move that the House do now adjourn.

SIR STAFFORD NORTHCOTE: Sir, I rise to second the Motion which has been made by the Prime Minister, and I feel sure that I need say no words to recommend that Motion to the House. It is, indeed, in accordance with former precedents, when this House has suddenly been deprived of one of its Members, that adjournments are occasionally moved. On this occasion we have to deal with a case very different; indeed, far beyond any of those to which I have made allusion. It is impossible for any man in this country, and I would venture to say throughout the civilized world, to refrain from sharing in the feelings of horror with which we have been thrilled by the news of this event; and certainly for us who sit in this House, and have had for many years the privilege of knowing and valuing and esteeming the late noble Lord, it is a sad and melancholy duty to pay our respect to his memory. Sir, I do not know that I can add—it would be in bad taste if I were to attempt to add—anything to what has been said by the Prime Minister as to the value of the lives which have been lost. As to Mr. Burke, we who have known him intimately in official life are able to speak of his high conscientiousness and of his great ability and industry in the discharge of the duties of his office; and I am sure that everyone must feel that in him the Irish Administration, and the Administration of the country, have lost a servant of the highest value. With regard to the noble Lord who has been taken from us, none of us who have been brought into near relation with him but must have appreciated his high qualities, his great amiability, and the remarkable promise—the more than promise—which he gave of usefulness to his country. Sir, I trust that the House will assent to the Motion which has been made, not feeling or showing in the slightest degree that this blow which has been dealt has caused the least difficulty or embarrassment to the Government of the country, feeling sure that the Government have, even under this heavy blow, at once taken upon them, as they were bound to do, the preparation of the proper remedies, and assuring the Government, as I do now, of the hearty co-operation of those who sit on this side, and I believe I may say of the whole House, in such measures as may be necessary for the restoration and preservation of peace in this country. I beg, Sir, to second the Motion for the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Gladstone.*)

MR. PARNELL: Sir, I wish to express on the part of my hon. Friends and on my own part, and, I believe, on the part of every Irishman in whatever part of the world he may live, my most unqualified detestation of the horrible crime which has been committed in Ireland. I cannot advert to the steps which the Government propose to take. I do not deny that it may be impossible for the Government to resist the situation, and that they feel themselves compelled to take some step or other in the direction indicated by the Prime Minister; but I wish to state my conviction that this crime has been committed by men who absolutely detest the cause with which I have been associated, and who have devised that crime and carried it out as the deadliest blow which they had in their power to deal against our hopes in connection with the new course on which the Government had just entered.

MR. W. E. FORSTER: I am sure, Sir, the House will believe me when I say that it is with no intention of making any remarks upon the cause of this crime, or any description of the lessons which should be drawn from it, that I rise to say a word or two on this sad occasion. I rise simply because I think that some personal tribute is especially due from me. I knew and respected Lord Frederick Cavendish. I knew his worth, his spotless integrity, his remarkable industry, his great courage, and his unselfishness. I was more aware than many Members of the House of those qualities, because I have been brought more in contact with him; but I was also more aware of his possession, to an extraordinary extent, of a sound judgment; and when I heard of his appointment as Chief Secretary, I thought it was the best appointment that could be made, considering, not only his patriotism, his unswerving impartiality, his integrity, his administrative power, but especially this faculty of judgment. There are other Members who knew him as well—there are, perhaps, some who knew him better. But there is no Member, I believe—certainly, no Member present at this moment—who knew Mr. Burke so well as I did, and I feel it to be my duty to say a word or two about him. I had the most intimate relations with him, under difficult circumstances, for two years. It was a very short time before I found out what manner of man he was, and I can truly say I believe the Queen and the country never had a more faithful, a more upright, a more truly honourable and unselfish servant. His industry—his devotion to his duty—was something more than we are accustomed to. During the last two years he never had a fortnight's holiday. Day after day, from morning to night, he plodded on with work which was most distasteful uncomplainingly, quietly, with a silent, dignified reticence that belonged to him, without much acknowledgment, without much praise — he never expected it. But we all thought he was safe from such a visitation. To give the House an idea of what that man was, his silent, dignified endurance and power of doing his duty without any looking for reward, I will mention one fact. Some months ago, I saw many men in the Civil Service decorated, and I thought Mr. Burke was one who should have an honour conferred upon him. I wrote and told him I thought I ought to press it. I wish I had here the words of his answer. He said he was satisfied with the respect of those who worked under him and with the confidence of those above him, and he entirely forbade my asking for it. I must say one other word. I think I never met with a man so completely without prejudice—so completely and absolutely fair, and so determined to do justice to all classes, and that in a country where it is sometimes difficult. I must say—and I should like them to know it—that the tenant farmer, and the poor tenant farmer, never lost a truer or more faithful friend than in that Galway landlord, who treated his own tenants well, and stood up for the Irish tenantry in the place where they sometimes thought their interests were forgotten. Over and over again he has pointed out to me the other side of the question—the question from the tenants' point of view—and if there was a case of hardship on the part of the landlord towards the tenant, Mr. Burke, of all the men I met in Ireland, was the most ready to denounce it. I am sure the House will forgive my saying this, because I knew him so well. I think all will feel with me that it is a tribute, not only due to him, but due to his mourning family, who were united with him in the bonds of deepest affection—and, although I hardly venture to mention her name, due to his sorrowing sister, whose relaxation in her life of care for the good of others was to be cheered by making his hard lot more pleasant. I think it will be some satisfaction to her to know that the House of Commons feels, as I am sure it does, what a heavy loss has been sustained by her brother's death.

MR. J. LOWTHER: Sir, the House will readily imagine that it is with great reluctance that I intrude upon them on such a sad occasion. It is not my intention to make any reference to the sad loss which this House has sustained. Members of older and higher standing than I can lay claim to have more properly discharged that painful duty. But, Sir, the right hon. Gentleman who has just sat down has referred to the heavy loss which has been sustained in the public service by the sudden death of Mr. Burke. It was my privilege to be associated for about the same period as the right hon. Gentleman officially with Mr. Burke. In politics and in religion, he held views differing widely from my own. I think it only due to his memory to state that I firmly believe that he never for one moment allowed his political convictions or his religious opinions to prevent him from rendering as conscientious assistance to one who, like myself, differed on those points with him, as he did to the right hon. Gentleman, or to others with whom he might politically feel in harmony. I have referred to those differences of politics and religion, for I did not wish it to be thought that those differences ever for one moment obtruded themselves into the personal relations of Mr. Burke with those with whom he was officially connected. A more genial friend, as well as a more loyal colleague, neither I nor any other Member of this House ever possessed; and I should not feel myself justified, on an occasion like the present, if I did not bear my humble testimony to the very great worth of that most conscientious public servant, and the irreparable loss which Her Majesty has sustained in his untimely death.

Motion *agreed to.*

LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 3) BILL.

On Motion of Mr. HIBBERT, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Borough of Birmingham (two), the Local Government Districts of Gainsborough, Smethwick, and South Blyth, the Borough of Stafford, the Staines Joint Hospital District, the Improvement Act District of Surbiton, the Uxbridge Joint Hospital District, the Local Government District of Watford, and the Borough of Wigan, *ordered* to be brought in by Mr. HIBBERT and Mr. DODSON.

Bill *presented*, and read the first time. [Bill 152.]

House adjourned at a quarter before Five o'clock till To-morrow.

HOUSE OF LORDS,

Tuesday, 9th May, 1882.

MINUTES.]—PUBLIC BILLS—*First Reading*—Local Government Provisional Order (Highways) * (82).

Second Reading—Union of Benefices (London) (61); Pluralities Acts Amendment (74); Militia Storehouses * (76).

Select Committee—Report—Elementary Education Provisional Order Confirmation (London) * (56); Elementary Education Provisional Orders Confirmation (West Ham, &c.) * (55).

Report—Married Women's Property * (52-83).

IRELAND—IRISH POLICY OF THE GOVERNMENT.

OBSERVATIONS.

THE MARQUESS OF LANSDOWNE: My Lords, I desire to say a few words with reference to the Notice which stands in my name for Thursday next. On that day I had intended calling your Lordships' attention to the statement recently made by my noble Friend (Earl Granville) with regard to the Irish policy of the Government; and I intended dwelling more particularly on that part of the statement of the noble Earl in which he told us it was the intention of the Government to introduce measures in Parliament for the purpose of strengthening the administration of justice and for the protection of private rights. My Lords, I had intended to ask for some information with regard to those measures, and to inquire whether amongst them would be any for the purpose of giving effect to the recommendations of the Juries Committee. I wished to press earnestly on the Government the undesirability of, on the one hand, making large concessions in compliance with popular demands in Ireland, without, on the other hand, carrying out some of those compensatory measures for strengthening the law which were included in the noble Earl's statement. I have since become aware that a Bill for this purpose is shortly to be introduced by Her Majesty's Ministers, and that it will be proceeded with forthwith. Under these circumstances, I do not propose to go on with the Motion of which I have given Notice.

UNION OF BENEFICES (LONDON) BILL.

(*The Lord Bishop of London.*)

(NO 61.) SECOND READING.

Order of the Day for the Second Reading read.

The Bishop of LONDON, in moving that the Bill be now read a second time, was understood to say that the facts out of which the necessity for legislation arose involved the consideration of the resident population of the City, compared with that of the rest of the Metropolis, and the rapid increase of the latter as contrasted with the decrease of the former—facts which he illustrated by quoting the statistics. The multiplication of railroads and tramways had enabled the working population to leave the crowded districts in which they formerly lived in order to go and reside in the outside or border parishes; and there was, therefore, less use for the churches in the City than there was at the time of their foundation. In his opinion, the churches ought to follow the people. The old diocese of London had been altered, part being annexed to the diocese of St. Alban's and part to the diocese of Rochester; and this Bill would include in the parishes which were to be benefited some in those dioceses. In 1860 his Predecessor in the See of London carried the Union of Benefices Act, which was at present in force. It could not be said that that Act had been without results. On the contrary, it had done a considerable amount of good, though not so much as was anticipated. Ten unions of benefices had been effected, and nine churches had been taken down. Out of the proceeds 12 churches had been entirely built in the suburbs, while seven or eight others had been assisted in the building. But the proceedings under the Act were extremely tedious. No general plan had been laid down as to what churches might be united. Consequently, the unions that had been formed were those in which it was most easy to obtain the consents of the various parties interested. The unions that had been thus effected were not those which would have been most advantageous, but those which were most practicable. This Bill would give greater freedom to the Commissioners to deal with the subject-matter of the Bill—the removal of some of the City churches, and the re-building of them in outside parishes. It was identical with the Amendment Bill which he brought in in 1872, and which passed their Lordships' House. The same Bill was brought into the House of Commons in the following year, and was there referred to a Select Committee; but it was too late in the Session to pass. The most strenuous opposition to the present Bill came from the Liberation Society. By the passing of the Bill the real intentions with which the City churches were founded would be carried out.

Moved, "That the Bill be now read 2ª."—(*The Lord Bishop of London.*)

The Earl of ONSLOW said, that last Session he had called attention to a Return published in *The St. James's Gazette* which showed how sparsely churches in the City were attended. He had also moved for a Royal Commission. He still thought that a Royal Commission would deal with the subject better than it could be dealt with by a Bill. The success of the Royal Commissions established for similar purposes, he thought, was evidence in favour of that opinion. The Royal Commission which inquired into the revenues of the Episcopal Sees, and out of which issued the present Ecclesiastical Commission, was an instance in point. Such a Commission would take a comprehensive view of the subject, and might frame a Bill with the same end in view as the Bill of the right rev. Prelate. Objections from all quarters might have been heard before such a Commission, and the interests of all protected. At the same time, the subject was more likely to command attention when brought forward by the right rev. Prelate than it would be if introduced by himself. He was glad to see that the right rev. Prelate, in the Commissioners whom he had nominated, had endeavoured to secure the representation of many of those who opposed the Bill of 1872; that there was someone to represent the Corporation of London, which was greatly interested in the question; and that power was given to deal with churches in such a way as to admit of the widening of streets, which was so necessary in some parts of the City. The rights of Vestries, as defined in 1860, were by the Bill, he was glad to find, somewhat limited, although care had been taken to preserve their just rights. The claims of the existing incumbents who formed the society known as Sion College, too, had not been forgotten. But he was sorry to see that provision had not been made that those who drew the revenues of the Church should always be members of the Church. The right rev. Prelate did not seem, however, to be aware of the quarter from which the most serious opposition to the Bill would probably emanate, for he had not given in the Bill any power to the Commissioners, beyond what was stated in the Preamble, to deal with the architectural and historical interests of churches. He himself should be inclined to move in Committee that a Commissioner be specially appointed to look after the interests of Art. In the year 1873, when the Bill was in the other House, a Memorial was presented from the Council of the Royal Institute of British Architects praying that the President of that Body might be allowed to report upon cases where, in the opinion of that Body, churches should be preserved or re-erected. In accordance with the spirit of that Memorial, he should move that the person appointed to look after the interests of Art be nominated by the Institute of British Architects. Again, there was in the Bill no provision as regarded funds for the maintenance of churches which it was proposed should continue to exist after the alienation of the endowments. A clause dealing with that matter was, in his opinion, very necessary. With reference to the area of distribution, he thought that provision should be made for future as well as present needs. He failed to understand why the parish of Chingford was to be included in that area; while such places as Croydon and Wimbledon, which had grown from 77,000 to 100,000, and 9,000 to 15,000 respectively in the last few years, were to be excluded. He intended to suggest in Committee that the area of distribution should be increased to that of the Metropolitan Police district. On the whole, he congratulated the right rev. Prelate for his attempt to deal with the glaring scandal by which a sum of £30,000 per annum was appropriated to provide for the spiritual wants of an aggregate congregation of 4,000 persons. He felt sure that the Bill dealt with a case where the wishes of the minority ought to give way to the urgent needs of the majority; and he therefore trusted that their Lordships would allow the Bill to be read a second time.

THE EARL OF CARNARVON was understood to say that he was the last person who would criticize in an unfriendly spirit any measure brought forward by the right rev. Prelate; but he must say he doubted whether this Bill would altogether meet the objects for which it was intended. The essence of the Bill lay in the powers and the constitution of the Commission, which, he maintained, was not sufficiently representative of all the interests involved. Under the City Church Act of 1860 powers were reserved to the Patron and the Vestries; here the Patron had no voice, and the Vestry comparatively little. The hypothesis on which this Bill rested was that population was fast deserting the City. This was not an unnatural opinion, as drawn from the recent Census; but in this vast town, where there were so many eddies and counter-eddies of life and business, small changes might often affect the flow of population. There were signs, though he would not press the argument, that even now such changes in the habits of business as would draw men more towards this great centre were going on. It must be remembered that a reduction in the amount of the Inhabited House Duty would make a vast change in the number of permanent inhabitants in the City, and would, consequently, largely increase the spiritual wants of the district, and the different congregations of the various churches. Even as it was, however, the churches were comparatively deserted, not because they were too numerous, but because the necessary services to meet the wants of very large classes were not provided. There was, for instance, a large class of professional men, who came into the City in the morning and who left it in the evening, who would be glad to attend daily services if they were performed at certain times of the day. Instead of that course being adopted, however, the custom was only to open the City churches on Sundays, and to keep them closed during the week. He could remember when the same difficulties existed at St. Paul's; now there was no nobler sight than to see that noble temple crowded with worshippers. It was very greatly a question of services; and if the service was such as to attract the people would not be wanting. Statistics showed that when one of the large City churches in a leading thoroughfare had been thrown open for public worship during Lent some 50,000 persons had attended. One substantial ground of complaint, however, in connection with these City benefices was the non-residence of the City clergy. According to a Return which had been furnished on the Motion of the noble Marquess behind him (the Marquess of Salisbury), and which he had corrected up to date, it appeared that of these clergymen 31 resided in the City, 25 in the country, 13 in the suburbs, and that five had no address at all. [The noble Earl then cited a recent case of Jeremiah Murphy, who, when he was convicted of stealing a book from a bookstall, and was sentenced to two months' imprisonment, pleaded hard that he should be released on bail, on the ground that he had to preach in the Parish Church of St. Olave, Jewry, in the City, as substitute for the Rector.] It was no wonder that, in these circumstances, the City churches should be abandoned by their congregations. It was obvious that this Bill would require a great deal of care and consideration before it was allowed to pass into law. It would disturb many questions which were not altogether safe to touch; and it would raise up opposition from many parts of London. He thought the right rev. Prelate opposite was sanguine if he expected it to pass this year.

VISCOUNT MIDLETON strenuously supported the Bill, and reminded the House that the principle of a similar measure had been affirmed in both Houses of Parliament in previous Sessions. They had to meet the broad fact that while the population of the Metropolitan area was increasing by something like 40,000 a-year, that of the City had decreased during the last 10 years by something like 2,000 a-year, the City population in 1871 being 74,000, and in 1881 something like 53,000; and yet there were 61 churches, with accommodation for 32,500 worshippers, while the attendance on ordinary occasions only reached one-fifth of the number for whom sittings were provided. If they deducted the "official congregation"—that was the clergy, school children, choristers, &c., only one-tenth of the sittings were occupied. Nevertheless, the endowments of those churches amounted to something like £40,000, and were annually increasing. That state of things, surely, was most unsatisfactory, especially in view of the fact that no adequate means existed for meeting the spiritual necessities of the ever-increasing population outside the City boundaries. The population of London, he thought, had pretty nearly reached its most extreme limits Eastward, owing to the prevalence in that quarter of noxious manufactures; and it was pretty certain that the future extension of the Metropolis would be mostly towards the South and West. Now, the inhabitants of those districts were mostly toilers within the City or near it; from early morning until the dusk of evening their labours were carried on in that district, and yet they were debarred from the endowments which were intended for their benefit. He did not think that the matter was one which could best be dealt with by a Royal Commission. That course would not solve the difficulty, for, having had some experience of Royal Commissions, he knew them to be slow in moving, in addition to which their recommendations, even after they were made, were apt to fall to the ground. Besides, they had before them at the present moment all the evidence they required. Every argument had been already urged, as the matter was not a new one. Twenty-two years ago they had passed an Act dealing with the subject; but, unfortunately, that Act had been practically inoperative, only 10 consolidations having taken place under it. The provisions of that Act were far too cumbersome to be effective. He had applied to the Ecclesiastical Commission, and had been shown one case in which, after a correspondence of 300 letters, the scheme proposed proved abortive, as it was impossible to obtain the number of consents required from parishioners. The question could not be treated in a permissive form. Unless it could be regarded as one of great need, no project of reform would be satisfactory. He was very glad, therefore, to find the present scheme was to be strictly compulsory. The question must certainly be dealt with some day, and its difficulty was only increased by delay. It was anxiously looked for by many persons, and, he believed, would tend to the welfare, not only of the Church, but even of those parishes which were deprived of endowments not intended for them. He hoped the Bill would be read a second time, and that any objections to its details would be considered in Committee.

EARL GRANVILLE said, that he had very little to say, and that little had become almost infinitesimal in consequence of what had fallen from the noble Viscount. There seemed to be no real opposition to the Bill, although the noble Earl (the Earl of Carnarvon) had certainly dealt with it in the tone of a very candid friend. When the Government were pressed on the question of bringing in a Bill on the subject last year, he stated that, although he could not give a pledge that they would do so, they should be very glad to support any measure emanating from the right rev. Bench or any other quarter, and the present was one to which he was very willing to give his support.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* the 22*nd instant.*

PLURALITIES ACTS AMENDMENT BILL.—(No. 74.)

(*The Lord Bishop of Exeter.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE BISHOP OF EXETER, in moving that the Bill be now read a second time, explained that it professed to be an amendment of the present existing Acts upon the subject. Certain changes had become requisite with regard to three or four points to which the amending Act referred; but the most important point was the last, which dealt with the stipend of the curate whom the Bishop was empowered to appoint in case any clergyman was judged unfitted to perform his ecclesiastical duties. The Act of 1838 had fixed the stipend of the curate so low that it was sometimes impossible, as he knew from his own experience at Exeter, to procure a clergyman who would accept the post. These defects the Bill proposed to deal with in the following way. It proposed to define ecclesiastical duties, as not only the regular and due performance of Divine Service on Sundays and other days, but all other duties which had been promised by a clergyman of the Church of England at the time of his ordination, and which might be required of every spiritual person having the cure of souls, and all ecclesiastical duties required by law. Further, instead of the Bishop appointing the Commissioners, the composition of the Commission was fixed by the Bill in such a way as to make it independent of the Bishop altogether. Its members were to consist of clergymen engaged in parochial work; and, on their reporting that the duties were inadequately performed, the interference of the Bishop was to be permitted. It was not proposed to interfere with the appeal to the Archbishop. Provision was made for the compulsory attendance of witnesses, and for their examination on oath. If a Bishop were compelled to appoint a curate, he might assign him an addition not exceeding £70 to the stipend originally required by the Pluralities Act. It was not proposed to interfere with the stipend the incumbent might give; but it was felt that where the Bishop was compelled to make an appointment, he should have the means of paying a stipend which would secure adequate service. The Bishop might require the appointment of two or more curates where the incumbent was non-resident, the population exceeded 2,000, and there were two or more churches not less than a mile apart. A non-resident incumbent would not be at liberty to interfere with a curate during the time of his licence. In dealing with vacant benefices, power was given to make more adequate provision for the discharge of clerical duties during the continuance of the vacancy. As there were many cases in which the prescribed distance of two miles between one church and another prevented adequate provision being made, that limitation was struck out; and in order to facilitate the placing of adjacent parishes under one clergyman, it was proposed to increase the allowable distance between the churches from three to five miles. The Bill was based on the recommendations of a Joint Committee of both Houses of the Convocation of Canterbury; and he would not have introduced it if he were not assured that it had the support of the representatives of the parochial clergy, who were quite as desirous as the Bishop could be that the parishioners should have the full benefit of the services of the Church, as far as the incomes of the benefices would make it possible.

Moved, "That the Bill be now read 2^{a}."—(*The Lord Bishop of Exeter.*)

VISCOUNT CRANBROOK approved the general principle of the Bill, but thought some of its details would require amendment. There were provisions in the Bill which were so very vaguely expressed that he must ask the right rev. Prelate to reconsider his definitions, or he feared his noble and learned Friend on the Woolsack would have some difficulty, should they come before him, in construing them. For instance, the Bill spoke of duties undertaken by a clergyman at the time of his ordination, while there were no special duties referred to by the Ordination Service. What was required was to enforce the duties that were known to the law, and it was desirable that the enactments of the Bill should be precise and free from vagueness. It would be well that these points should be considered before the Bill went through Committee.

Motion *agreed to;* Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Monday* the 22*nd instant.*

House adjourned at half past Seven o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 9*th May*, 1882.

MINUTES.]—PUBLIC BILLS—*Ordered*—Supreme Court of Judicature Acts Amendment; Copyright (Musical Compositions).

Ordered—First Reading—Public Schools (Scotland) Teachers [153].

Second Reading—Local Government (Gas) Provisional Order* [144]; Local Government Provisional Orders (No. 2)* [145]; Tramways Provisional Order* [141]; Settled Land* [120]; Consolidated Fund (No. 3)*; Ballot Act Continuance and Amendment [84]; Contumacious Clerks [41], *debate adjourned;* Spirits in Bond [54], *debate adjourned;* Copyright (Works of Fine Art, &c.)* [119].

Committee—Poor Law Guardians (Ireland)* [7]—R.P.; Irish Reproductive Loan Fund Act (1874) Amendment [133], *debate adjourned;* Parliamentary Elections (Corrupt and Illegal Practices) [21]—R.P.

Committee—Report—Municipal Corporations (*re-comm.*) [113]; Military Manœuvres* [134]; Documentary Evidence* [143].

Report—Commons Regulation Provisional Orders* [117].

Third Reading—Boiler Explosions* [100]; Public Health (Scotland) Act Amendment* [115], and *passed.*

NEW WRIT ISSUED.

For Hawick District, *v.* George Otto Trevelyan, esquire, Chief Secretary to the Lord Lieutenant of Ireland.

QUESTION.

TURKEY IN ASIA—THE SMYRNA QUAYS.

MR. M'COAN asked the Under Secretary of State for Foreign Affairs, Whether the Foreign Office has received any information corroborating a private telegram from Constantinople in an evening paper, which stated that the Porte had ordered the Governor General of Smyrna to oppose the sale of the Smyrna quays to an English Company, by interposing the Porte's alleged right of pre-emption under the original Convention; and whether any such right on the part of the Porte of frustrating the sale of this property in fact existed?

SIR CHARLES W. DILKE: Sir, no information has been received at the Foreign Office in confirmation of the telegram to which my hon. Friend refers. The terms of the Convention which appears in the Correspondence respecting the Smyrna quays recently laid before Parliament do not contain any clause reserving to the Porte the right of pre-emption.

ORDER OF THE DAY.

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PARLIAMENT — PRIVILEGE — "BRADLAUGH v. ERSKINE"—SERVICE OF A WRIT ON THE DEPUTY SERGEANT-AT-ARMS.

CONSIDERATION OF WRIT AND OTHER DOCUMENTS.

Writ and other Documents *considered.*

THE ATTORNEY GENERAL (Sir HENRY JAMES): I have to submit two Resolutions to the House in reference to the communication made to it on Friday last. I think we may gather from that communication that Mr. Bradlaugh has commenced an action against the Deputy Sergeant-at-Arms, in consequence of that gentleman having obeyed an Order, and acting under the authority of this House, in removing Mr. Bradlaugh from this House on the 3rd of August last. In determining how to deal with the subject of that communication, I would suggest to the House that we ought to have two principal objects in view. In the first place, I think we should do nothing that should for a moment cause it to be supposed that this House was yielding up in any way its rights to govern its own procedure, and to insist upon the House being the only judge of the way in which its procedure should be carried into effect; and I think, too, that the House will equally desire not to enter into any unnecessary conflict either with any Court which has to administer justice in this country, or with any individual, unless it shall be absolutely necessary to do so in order to support its own authority. I do not propose to submit more than these two objects as being those which should govern our course. When placed in similar circumstances to those now stated, the course of the procedure of this House has latterly been uniform, and I think the House would desire to act strictly in accordance with those precedents. Whilst we deny the authority of any Court to question any action the House may take within its own walls to enforce its procedure, I am sure the House would wish to act with due consideration towards the Courts which have to try every action which is brought before them by one subject against another. It is not inconsistent with the dignity or authority of this House to inform the Courts that have to try such action that this House objects to their dealing with any question involving the authority of this House. But the question now arises, In what manner can that communication be made to the Court having to try such an action as the present without the House yielding up its authority in any respect? It was suggested long ago that the Speaker should communicate, by letter or certificate, to the Court having cognizance of an action arising out of the proceedings of this House, that the Privileges of this House would be involved; but it was pointed out on high authority that so to make such communication would be unsatisfactory and inconvenient, because it would lead to one litigant being left in command of the litigation, and the action involved might be so framed as to give an undue advantage to the litigant so left unopposed. Therefore, Sir, it was, as early as 1810, decided that it was not contrary either to the position or dignity of the House for one of your Predecessors—Mr. Speaker Abbott—to consent to appear and plead in an action brought against him by Sir Francis Burdett, in consequence of the Speaker having issued a Warrant for the arrest of that Gentleman. That precedent was followed in 1839 in the case of Stockdale's action against the printers of this House, Messrs. Hansard; and, the matter having been fully discussed, it was resolved that the proper course was to give permission to the officers of the House to appear and plead to the action. That precedent was also followed in relation to two actions brought by Mr. Howard against Sir William Gossett, the Sergeant-at-Arms, in 1842 and 1843, and again in 1851, when Mr. Lyne brought an action against Lord Charles Russell in consequence of his being arrested. It appears to me that these well-established precedents are fortified both by principle and convenience, and that the officer of the House should, in deference to the Court in which the action is brought, appear in that Court and plead that he has acted under the authority of the House, and that the Court has no power to question that authority. I therefore propose to move two necessary formal Resolutions; but, before doing so, it is necessary that it should be distinctly stated that, by allowing an officer of this House to appear and plead, it is in no way admitted that there is authority in any Court to try the question which, I understand, is principally sought to be raised in this case, and also that the House reserves to itself the right of taking such action against anyone who shall take part in bringing such an action as may be deemed necessary to support its authority. I do not say this as a warning, still less a threat; but it is necessary that this Resolution should be accompanied by an express reservation of the rights of the House, which unquestionably should be the sole judge of its own authority, especially in relation to its own procedure within these walls. I therefore beg to move the Resolution which stands in my name.

Motion made, and Question proposed,

"That Leave be given to Henry David Erskine, esquire, Deputy Sergeant-at-Arms, to appear and plead in the action brought against him by Mr. C. Bradlaugh."—(*Mr. Attorney General.*)

SIR STAFFORD NORTHCOTE: Would the hon. and learned Gentleman tell us what is the 2nd Resolution?

THE ATTORNEY GENERAL (Sir HENRY JAMES)—

"That the Attorney General be directed to defend the Deputy Sergeant-at-Arms against the said action."

MR. LABOUCHERE said, he did not rise to oppose the Resolution, but merely to say that Mr. Bradlaugh had raised this action not in any desire to bring about a collision between the House and the Courts of Law, but simply because he was obliged to take it by the course the House itself had chosen to take. He might point out that the fact of Mr. Bradlaugh having to appeal to a Court of Law would probably lead to this result—that Mr. Bradlaugh might have a decision against him in the Court of First Instance; and that then he would appeal, and the House of Lords would be called on to decide as to the regularity of the proceedings of the House of Commons. Under these circumstances, he would suggest to the Attorney General—he had made various reservations—that the wisest of all things for him to do would be to use his influence with the Government to induce them to assist him to bring in a Bill removing the disqualifications at present alleged to exist, and thus settle the question once for all.

SIR HARDINGE GIFFARD said, he understood that the hon. and learned Attorney General expressly reserved the right of the House, not only to determine what went on within the walls of the House of Commons itself, but also to take action against those persons who might aid and assist in bringing before a Court of Law the action of officers appointed by the House, such conduct constituting a serious Breach of Privilege. That Privilege had been laid down on three separate occasions, and on one of them—the case of Mr. Stockdale—Mr. Howard, who acted as attorney to that gentleman, was sent to Newgate for bringing an action in Mr. Stockdale's name against an officer of the House. He did not object to this Resolution being carried; but he thought it ought to be understood that if the action was to be proceeded with against what was substantially the House, although in form against the officer, it would be open to the House to vindicate its own dignity, and that, by the adoption of the Motion before them, they did not prejudice that right.

Motion *agreed to.*

Motion made, and Question proposed,

"That the Attorney General be directed to defend the Deputy Sergeant-at-Arms against the said action."—(*Mr. Attorney General.*)

Motion *agreed to.*

PARLIAMENT—SEATS OF MEMBERS IN THIS HOUSE.

MR. SPEAKER: In reference to the first Notice of Motion on the Order Paper, standing in the name of the hon. Member for Northampton (Mr. Labouchere), and which is to the following effect, that—

"It is desirable that Legislation be proceeded with, during the present Session, in order to enable every duly-elected and properly-qualified Member to take his seat in this House,"

I have to say that it cannot properly be moved, as it is substantially the same as an Amendment that was negatived by this House on March 6. I refer to the

Amendment moved by the hon. Member for Berwickshire (Mr. Marjoribanks). Therefore, I must call on Sir Henry Holland.

MOTIONS.

PARLIAMENT — BUSINESS OF THE HOUSE—THE HALF-PAST TWELVE O'CLOCK RULE—APPOINTMENT OF STANDING COMMITTEES.

RESOLUTION.

SIR HENRY HOLLAND, in rising to call attention to the inconvenience arising from the delay in nominating the Public Accounts Committee; and to move—

> "That Motions for the appointment or nomination of Standing Committees be excepted from the operation of the Half-past Twelve Rule,"

said, that it would be impossible for him, in bringing this Motion relating to the Public Accounts Committee under the consideration of the House, to refrain from expressing, however imperfectly, for himself and the other Members who had served on that Committee with Lord Frederick Cavendish, their sense—their deep sense—of the loss sustained by the country and by the House. They could never forget that noble Lord's ability, knowledge, and mastery of the subjects which were brought before him as Chairman for many years of that Committee. Still less could they forget his honesty of purpose, his unvarying courtesy and friendliness, which endeared him to them all. He (Sir Henry Holland) must acknowledge with gratitude the invaluable assistance, always so readily accorded to him by the noble Lord when he succeeded him as Chairman of the Committee. More than this he would gladly have said, had not the loss been so recent, the wound so fresh; less than this he could hardly have said in bringing forward this Resolution—a step in taking which he might tell the House he had the full and entire concurrence of the noble Lord. In calling attention to the serious inconvenience arising from the delay in nominating the Public Accounts Committee, he must very briefly refer to the procedure with respect to Public Accounts. As the House was aware, when the Supplies for the service of the year had all been granted, the Committee of Supply was closed, and the financial arrangements were completed by Votes in the Committee of Ways and Means. Then a Bill was introduced to carry into effect the Resolutions of that Committee, which was known as the Consolidated Fund Bill, or Appropriation Bill. The Bill enumerated every grant made during the Session, and authorized the several voted sums to be issued and applied to each particular Service for which they were voted. How, then, was the control of Parliament exercised to secure that the Expenditure of the Annual Grants was made in conformity with the Votes and with the Appropriation Act? It was mainly secured by the joint action of the Comptroller and Auditor General and the Public Accounts Committee. The Comptroller and Auditor General acted under the powers vested in him by the Exchequer and Audit Act (29 & 30 *Vict.* c. 39), 1866. Annual Accounts of the appropriation of public money were made up in each Department of the Public Service. These were submitted to the Comptroller and Auditor General for his Report, and were laid together with that Report before the House. His duties, which he exercised on behalf of the House of Commons, would be best explained to the House by a reference to Sections 27 and 32 of the Exchequer and Audit Act; and he (Sir Henry Holland) would venture to refer to these sections, as showing both the importance of those duties and their bearing on the question now before the House—namely, the inconvenience caused by the delay in nominating the Public Accounts Committee. By Section 27 it was provided that—

> "Every Appropriation Account shall be examined by the Comptroller and Auditor General of the House of Commons; and in the examination of such Accounts the Comptroller and Auditor General shall ascertain, first, whether the payments which the Accounting Department has charged to the grant are supported by vouchers or proof of payments; and, second, whether the money expended has been applied to the purpose or purposes for which such grant was intended to provide."

And by Section 32, after providing, amongst other things, that the Comptroller and Auditor General should prepare Reports on the Appropriation Account of the Army and on that of the Navy, a Report on the Appropriation Accounts of the Customs, Inland Revenue and Post Office, and on the Accounts relating to the several grants included within each of the classes into which the grants for Civil Services were divided in the Appropriation Act, the Act went on to provide that—

> "In all Reports, as aforesaid, he shall call attention to every case in which it may appear to him that a grant has been exceeded, or that money received by a Department from other sources than the grants for the year to which the Account relates has not been applied or accounted for according to the directions of Parliament, or that a sum charged against a grant is not supported by proof of payment, or that a payment so charged did not occur within the period of the Account, or was, for any other reason, not properly chargeable against the grant."

Now, here came in the work of the Public Accounts Committee. This Committee was first appointed by a Standing Order of April, 1862, which was as follows:—

> "That there shall be a Standing Committee, to be designated 'The Committee of Public Accounts,' for the examination of the Accounts showing the Appropriation of the sums granted by Parliament to meet the Public Expenditure, to consist of nine, who shall be nominated at the commencement of every Session, and of whom five shall be a quorum."

By a Standing Order of 1870 the number 9 was raised to 11. The Reports of the Comptroller and Auditor General were referred to this Committee, and they went through those Reports paragraph by paragraph. They called before them the Comptroller and Auditor General, or the Assistant Comptroller and Auditor General, the several accounting officers of the several Departments, and they had also before them the Assistant Financial Secretary, or some other high officer of the Treasury. That Department, it must be observed, acted throughout the year as referee in cases of doubt or dispute between the Comptroller and Auditor General and the accounting officers for the several Votes. By a reference to the past Reports of the Comptroller and Auditor General, it would be seen that in some cases he might think it necessary to add to or diminish the balance submitted to him by a Department, and his reasons were fully stated, and considered by the Committee after hearing evidence. In other cases he pointed out irregularities, of more or less importance, which had struck him in the examination of the Accounts, and he made suggestions for the consideration of the Committee and the Departments. Now, as regarded balances, the Public Accounts Committee did not, except in peculiar circumstances, interfere with balances which the Comptroller and Auditor General had passed as correct, as the primary responsibility rested on him of testing the correctness of the balances. But where the Comptroller and Auditor General had altered a balance they did give a distinct decision. That decision was embodied in the Report of the Committee to the House, and upon that Report Parliament took such action as it pleased. If the decision of the Committee was challenged by the Treasury, or by any other Department, it could and ought to be challenged at the earliest opportunity in the House, either on some special Motion, or when the Estimates of the Department in question were under consideration. As regarded any irregularities reported, or suggestions made, by the Comptroller and Auditor General, the Public Accounts Committee also gave their opinion, and such opinions were embodied in their Report to the House. He (Sir Henry Holland) trusted that this explanation of the procedure, which he had made as brief as possible, would show to the House the importance of having this Committee nominated, as was provided by the Standing Order "at the commencement of every Session," so that their Report might be in the hands of Members during the discussion of Estimates. In considering the Estimates of any Department, the House would naturally desire to know what criticisms, if any, the Comptroller and Auditor General on their behalf had made with respect to the Accounts of that Department for the previous year, and what view their Committee of Public Accounts had taken of those criticisms. Such knowledge might materially affect a vote on the Estimates; and, moreover, it was obvious that the proper and best opportunity for calling for any explanation from a Department, or for pressing upon it any improvement in the mode of keeping their Accounts, or the adoption of any suggestion made by the Comptroller and Auditor General and approved by the Public Accounts Committee, was when the Estimates were under discussion. But that opportunity was lost if the Report of the Committee was delayed, as it had been this year. Having thus disposed of the first part of his Motion, he (Sir Henry Holland) had only to point out to the House what other Committees were affected by the latter part of that Motion; in other words, what Committees came under the term "Standing Committees." Upon this he could not do better than refer to a passage in Sir Erskine May's book (p. 414), where it was stated as follows:—

> "There is, further, an exceptional class of Committees, called Standing Committees. The only Committee properly so termed is one whose appointment, being by Standing Order, is permanent, the nomination only being renewed from Session to Session. Such is the Committee of Public Accounts, under a Standing Order of 3rd April, 1862. In the same category are the Committee on Standing Orders, the Committee of Selection, and the General Committee on Railway and Canal Bills, though not expressly designated as Standing Committees. Occasionally a Committee has been so called—not quite accurately—being re-appointed every Session, as the Library Committee, now discontinued, and the Kitchen and Refreshment Rooms Committee."

Now, how stood the proceedings with respect to these Committees this Session? On the 9th of February the Select Committee on Standing Orders and the Committee of Selection were nominated. They escaped any block or opposition, because they were not moved by a Member of the Government, but by the right hon. Baronet the Member for the University of Oxford (Sir John Mowbray). But they might be blocked another year, and the inconvenience caused by the delay would be so serious, that he had thought it desirable to ask the House to exclude them from the operation of the Standing Order known as the Half-past 12 Rule. On February 21st Notice was given to nominate the Public Accounts Committee, and the Motion was blocked by two Members from Ireland, because the name of the hon. Member for the City of Cork (Mr. Parnell) had been struck off the Printing Committee. That block had only just been removed, after much valuable time had been lost. It would be observed that in what he had said he had not discussed the question whether the Half-past 12 Rule had succeeded or failed in expediting Business, or whether it was desirable that it should be continued in force. He entertained considerable doubts upon the question; but if the Rule was to be continued, he asked the House to agree to his Motion, and thus to remove one distinct evil arising from its present operation; and he trusted the House would consent to do this, whether they agreed to, or dissented from, the proposed Amendment of his Friend the hon. Baronet the Member for the University of London (Sir John Lubbock). Upon that Amendment he would not trouble the House, as it would be fully discussed by others. The hon. Baronet concluded by moving, in a slightly altered form, the Resolution of which he had given Notice.

Mr. RYLANDS, in seconding the Motion, said, that the delay in appointing Public Committees greatly interfered with the transaction of Public Business. If the Motion were agreed to it would do much to facilitate the Business of the House. He was, however, of opinion that it would not be convenient to discuss the Amendment of his hon. Friend the Member for the University of London (Sir John Lubbock), which opened up a much wider question.

Motion made, and Question proposed,

> "That the Standing Order of the 18th February, 1879, be amended, by adding, at the end thereof, the words 'Motions for the appointment or nomination of Standing Committees be excepted from the operation of this Order.'"—(*Sir Henry Holland.*)

Sir JOHN LUBBOCK, who had put upon the Paper the following Notice of Amendment:—

> "To move to insert, after 'Committees,' Sessional Motions and Proceedings made in accordance with the provisions of any Act of Parliament or Standing Order, and Motions for leave to bring in a Bill, and the stages subsequent to Committee,"

said, he hoped the House would adopt the Motion of the hon. Baronet the Member for Midhurst (Sir Henry Holland). His Amendment was conceived in the same spirit, and in order to carry out the same object. In moving it, he would not trouble the House more than a few minutes. His Amendment was, in the main, identical with one of the Procedure Resolutions proposed by Her Majesty's Government. He hoped also that he should receive the support of hon. Members opposite, for several of them, in speaking of the 1st Resolution, had expressed general approval of the others. He did not object to the Half-past 12 Rule as a whole, but only to the abuse of it. At present it often happened that there was a prolonged and more or less irrelevant conversation on the earlier Business of the evening, in order to prevent some subsequent Bill or Motion from coming on before half-past 12. Again, it had over and over again happened that after a Bill had been read a first and second time, and had been carefully considered in Committee, a single Member put down a blocking Notice, and thus prevented the Bill from passing, all the time and labour of the House being thus thrown away. On one occasion of this kind, even the Member who had put down the block was convinced that the Bill should pass; but unluckily he forgot to take off the Notice, and went away to Italy without doing so. Fortunately, he remembered it just in time, and telegraphed from Milan. The authorities even then felt some difficulty how far they were justified in accepting a telegram. He would also venture to move an addition to the Government Rule, which he commended to the House—namely, that the Half-past 12 Rule should not extend to the consideration of Statutes which had to lie on the Table a certain time before becoming law. This provision was, of course, introduced in order that there might be an opportunity of discussing them. At present, however, the provision was a mere mockery. He hoped his hon. Friend opposite would not object to the Amendment, or rather addition, which he ventured to propose. The hon. Baronet concluded by moving his Amendment.

Mr. MONK seconded the Amendment, and said it was precisely similar to the Motion which he had submitted last year, and which had received the approval of Her Majesty's Government, but which had not, in consequence of some misunderstanding, been divided upon.

Amendment proposed,

After the word "Committees," to insert the words "Sessional Motions and Proceedings made in accordance with the provisions of any Act of Parliament or Standing Order, and Motions for leave to bring in a Bill, and the stages subsequent to Committee."—(*Sir John Lubbock.*)

Question proposed, "That those words be there inserted."

Sir STAFFORD NORTHCOTE said, he cordially agreed with the original proposal of the hon. Member for Midhurst (Sir Henry Holland). It seemed to him that the exception which was already made in the Half-past 12 Rule with regard to money Votes was in spirit applicable to the case of the Public Accounts Committee, although it did not actually touch it, because the appointment of the Public Accounts Committee was a very important part of our financial system, and it was impossible that the control of the House could be exercised over our financial expenditure if there were any impediment in the way of the appointment of that Committee. He would therefore strongly urge the House to accept the Motion of the hon. Baronet the Member for Midhurst; but with regard to the Amendment of the hon. Baronet the Member for the University of London (Sir John Lubbock), to make some distinction. The first part of the Amendment—namely, the insertion in the Motion, after the word "Committees," of these words—

"Sessional Motions and Proceedings made in accordance with the provisions of any Act of Parliament or Standing Order"

—the House would do well to accept. In point of fact, the operation of the Half-past 12 Rule often tended to defeat the actual provisions which Parliament had deliberately made for submitting certain matters to the judgment of the House, and in the case of confirming or objecting to Statutes or Provisional Orders serious inconvenience arose. But with regard to the last part of the Amendment as to Motions for leave to bring in Bills, and the subsequent stages of Bills, he desired to express no opinion at that time, as it dealt with a question which would be raised hereafter by one of the Resolutions proposed by the Prime Minister. Moreover, a good many considerations were involved entirely outside those expressed in the first part of the Amendment. Without expressing any opinion on the subject, he would advise the hon. Baronet to withdraw the latter portion, and confine his Amendment to the first part only.

Sir WILLIAM HARCOURT said, that the right hon. Gentleman had anticipated the proposal he was going to make to the hon. Member for the University of London (Sir John Lubbock). Everyone must feel that the latter part of the Amendment opened up a much larger question than that proposed to be discussed by the hon. Baronet the Member for Midhurst (Sir Henry Holland). The Motion of the hon. Member for Midhurst referred to matters strictly connected with, and necessary to, the immediate and pressing Business of the House. The first part of the Amendment related to matters which were really killed by time. Statutes relating to the Universities and certain Provisional Orders were laid upon the Table of the House for a certain period, and, if blocked by the Half-past 12 Rule, Motions with regard to them were practically defeated, and there was no chance of that discussion which the House intended they should have taking place. It seemed to him that those matters came within the proposal of the hon. Baronet opposite; and if his hon. Friend behind him would be content for the present to make that addition to the Motion before the House, he hoped that it would be unanimously accepted, and that the larger question might be reserved for further discussion.

SIR JOHN MOWBRAY begged to join in the appeal to the hon. Baronet the Member for the University of London (Sir John Lubbock) not to press the latter portion of his Amendment.

MR. A. J. BALFOUR said, that the object of passing the Half-past 12 Rule was to prevent discussions of a certain degree of importance being taken at a very late hour at night. Under the Amendment of the hon. Baronet the Member for the University of London, the Statutes for the Universities would be exempt from the Rule. Very great difference of opinion might prevail on such matters, and they could not be properly discussed at a late hour at night. The House should be very careful before it allowed the clear definition put by the hon. Member for Midhurst (Sir Henry Holland) upon his Motion to be swept away, and the operation of the Half-past 12 Rule interfered with in any case in which a great conflict of opinion might be expected.

MR. DILLWYN said, he thought that the alteration of the Rule was necessary in such cases as those of the University Statutes, which, if not dealt with *ipso facto*, became law after lying a definite period on the Table of the House. He should be glad to see the Rule still further abrogated, for no Rule adopted by the House had so favoured Obstruction as this one. He hoped one day it would be altogether got rid of.

MR. BERESFORD HOPE said, that his hon. Friend the Member for Hertford had hit a blot; but he (Mr. Beresford Hope) did not think he proposed the best remedy. No doubt the grievance of the present system, by which University Statutes, school schemes, and so forth, became law after lying 40 or 60 days upon the Table of the House, had become intolerable since it had become impossible to save the discussion. A very much better system to adopt would be to provide that the Statutes should become law within a certain number of days, unless Notice were given within a certain time after the meeting of Parliament of opposition, and with due safeguards that due diligence would be shown in following up the Notice; but, if Notice were given, then to permit them to be discussed any time during the Session.

SIR GEORGE CAMPBELL said, he hoped the hon. Member for the University of London would agree to omit the last part of his Amendment. As far as he was concerned, he should be glad to acquiesce in a proposal to meet at 10 o'clock in the morning, in order that their Business might be done by daylight, as it seemed to him that the life of a Member of Parliament was hard enough as it was; but it would be still harder if a Member was to be obliged to sit up to all hours in order to watch for certain Bills in which he was interested. That would be the case particularly with regard to Scotch Bills. With respect to them, they had been very unfortunate, because they were obliged to take Scotch Bills early in the morning, or not at all; and he objected to that mode of treating Scotch or any other Bills. He trusted they would be able to make some considerable improvement in the way of transacting Business, and he hoped the suggestion that had been thrown out would be accepted by his. hon. Friend.

EARL PERCY said, he thought the suggestion of the right hon. Gentleman the Member for the University of Cambridge (Mr. Beresford Hope) was well worthy of consideration. It would be far better to sweep away the Half-past 12 Rule altogether than to adopt the last part of the Amendment of the hon. Baronet the Member for the University of London. He wished to ask the hon. Baronet what was the meaning of the term "Sessional Motions," and whether it was a term known to the proceedings of the House?

Mr. BRYCE said, a Return showed that since the Half-past 12 Rule came into force the House had sat a greater number of hours after midnight than it did in old times. Moreover, under that Rule, when there was an Order—say Order 2, 3, or 4—on the Paper, to which some Members were strongly opposed, they manifested quite an exceptional interest in the preceding Order, discussing it at inordinate length, in order to prevent another subject on the Paper from coming on afterwards. Thus time was wasted, for all the other Business of the House was delayed which came up after the Order, to which a Member or group of Members might be hostile. The Half-past 12 Rule was, in fact, a direct encouragement to Obstruction.

Mr. R. H. PAGET said, that the proposal of the hon. Baronet the Member for the University of London (Sir John Lubbock) would, if adopted, make a serious breach in the Half-past 12 Rule. He thought it would be wiser if they were content to accept the first part of the hon. Baronet's Amendment, stopping short at the end of the second line; and then they would include "those Proceedings made in accordance with the provisions of an Act of Parliament or a Standing Order."

Mr. GORST said, that if they were to have an Amendment made in their Standing Orders, its language should be at least precise and intelligible. In looking at the Amendment of the hon. Baronet (Sir John Lubbock) one part of it was clear enough. They understood the term "Proceedings made in accordance with the provisions of an Act of Parliament or a Standing Order;" but what was meant by the term "Sessional Motions" was not at all clear. They were familiar with the term "Sessional Orders;" but he believed that "Sessional Motions" were not spoken of in that excellent work, Sir Thomas Erskine May's *Parliamentary Practice*. Before the House agreed to the Amendment its terms should be made clearer.

Mr. HINDE PALMER said, he thought it better that the Motion should remain as it stood, and should not go on to specify particular cases, as the Amendment proposed. He should, therefore, support the Motion of the hon. Baronet the Member for Midhurst.

Sir JOHN HAY said, he entirely agreed with the Motion made by the hon. Baronet the Member for Midhurst (Sir Henry Holland); but went much further, as he had a Notice on the Paper to repeal the Standing Order relating to the Half-past 12 Rule. He contended that that Rule had done more than anything else to interfere with the Business of the House. He was opposed, however, to repealing a Standing Order by words he did not understand; and, therefore, until he knew what the words "Sessional Motions" meant, he should not be prepared to support the Amendment of the hon. Member for the University of London (Sir John Lubbock).

Colonel MAKINS said, he did not share the objection to the Half-past 12 Rule, which, as far as he was aware, had always worked fairly, though sometimes hardship might possibly arise.

Mr. LYON PLAYFAIR said, there seemed to be some confusion as to the term "Sessional Motions;" but the words were not required, because "Sessional Motions" were made on the first day of a Session, at 4 o'clock, before the Queen's Speech, and the Half-past 12 o'clock Rule did not apply to these Motions. He would suggest that the best way to meet the difficulty would be to withdraw the Amendment, and to propose another which would except from the operation of the Half-past 12 Rule any proceeding made in accordance with the provisions of any Act of Parliament or Standing Order.

Sir JOHN LUBBOCK said, he would accede to the suggestion of his right hon. Friend.

Amendment, by leave, *withdrawn.*

Amendment proposed,

After the word "Committees," to insert the words "and Proceedings made in accordance with the provisions of any Act of Parliament or Standing Order."

Question, "That those words be there inserted," put, and *agreed to.*

Main Question, as amended, put.

Resolved, That the Standing Order of the 18th February, 1879, be amended, by adding, at the end thereof, the words "Motions for the appointment or nomination of Standing Committees and Proceedings made in accordance with the provisions of any Act of Parliament or Standing Order be excepted from the operation of this Order."

SUPREME COURT OF JUDICATURE ACTS AMENDMENT BILL.

MOTION FOR LEAVE.

SIR HARDINGE GIFFARD, in rising to move for leave to introduce a Bill for the amendment of the Judicature Acts, said, that among other questions which had been brought to the attention of the Government were those of trial by jury and the operation of the rules under the Judicature Acts. Under those Acts the Judges had it in their power, if they chose, by the mere publication of rules, to abolish trial by jury in several cases, and the only check on that power was that, within 40 days after the rules had been laid upon the Table of the House, the House might disagree to them; but until a Resolution to that effect was passed the rules were at once operative, so that it was possible, by a mere rule, at once to sweep away the safeguard of trial by jury. It was never intended that the Judicature Acts should have such an effect; and he believed the Bill he now proposed to introduce met with the approval of the Government. He therefore moved for leave to introduce a Bill to amend the Judicature Acts 1873 and 1875, so as to render it necessary that the rules made by the Committee of Judges should be laid upon the Table of the House for 40 days before coming into operation.

Motion *agreed to.*

Bill to amend the Supreme Court of Judicature Acts 1873 and 1875, so as to render it necessary that the rules made by the Committee of Judges should be laid upon the Table of the House for forty days before coming into operation, *ordered* to be brought in by Sir HARDINGE GIFFARD, Mr. BUTT, Mr. M'INTYRE, Mr. CHARLES RUSSELL, Mr. INDERWICK, Mr. WEBSTER, Mr. BUCHANAN, and Mr. GREGORY.

PUBLIC SCHOOLS (SCOTLAND) TEACHERS BILL.

LEAVE. FIRST READING.

MR. MUNDELLA said, he rose to ask leave to bring in a Bill to regulate the procedure of School Boards in Scotland in the dismissal of Teachers. This Bill was brought in in accordance with a promise made to the House on Wednesday last, when the hon. Member for Wigtonshire (Sir Herbert Maxwell) withdrew his Bill.

Motion *agreed to.*

Bill to regulate the procedure of School Boards in Scotland in the dismissal of Teachers, *ordered* to be brought in by Mr. MUNDELLA, The LORD ADVOCATE, and Mr. SOLICITOR GENERAL for SCOTLAND.

Bill *presented,* and read the first time. [Bill 153.]

COPYRIGHT (MUSICAL COMPOSITIONS) BILL.

MOTION FOR LEAVE.

MR. GORST asked leave to bring in a Bill to amend the Law of Copyright relating to Musical Compositions. He explained that recently persons had been prosecuted for singing songs at penny readings, &c., without the leave of the owner; and he proposed that no action should be brought against a person for singing a song without leave, unless it was announced on the music that the right of public performance was reserved by the owner.

Motion *agreed to.*

Bill to amend the Law of Copyright relating to Musical Compositions, *ordered* to be brought in by Mr. GORST, Mr. ARTHUR BALFOUR, Mr. BERESFORD HOPE, and Viscount FOLKESTONE.

ORDERS OF THE DAY.

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MUNICIPAL CORPORATIONS (*re-committed*) BILL.—[BILL 113.]

(*Mr. Hibbert, Secretary Sir William Harcourt.*)

COMMITTEE. [*Progress 4th May.*]

Bill *considered* in Committee.

(In the Committee.)

Clauses 109 to 119, inclusive, *agreed to.*

Clause 120 (Maintenance of borough bridges).

On the Motion of Mr. HIBBERT, Amendment made, in page 46, line 21, after the word "Council" to insert the words "with the consent of the Treasury." The object of the Amendment was to provide, that in regard to all expenses incurred for the maintenance of borough bridges, the Council might, from time to time, borrow on the security of the borough fund, or borough rate, such sums of money as they deemed requisite, but only "with the consent of the Treasury."

Clause, as amended, *agreed to*, and *ordered* to stand part of the Bill.

Clauses 121 to 153, inclusive, *agreed to.*

PART VIII.

ADMINISTRATION OF JUSTICE.

Clause 154 (Jurisdiction of county justices in borough).

MR. H. H. FOWLER moved, in page 62, line 36, to leave out from "county" to the end of sub-section. The section provided that—

> "No part of a borough, having a separate court of quarter sessions, should be within the jurisdiction, exercisable out of quarter sessions, of the justices of a county, where the borough was exempt therefrom before the passing of the Municipal Corporations Act, 1835."

He proposed to omit the last part of the section—the words—

> "Where the borough was exempt therefrom before the passing of the Municipal Corporations Act, 1835."

The clause would then read—

> "No part of a borough having a separate court of quarter sessions shall be within the jurisdiction, exercisable out of quarter sessions, of the justices of a county."

There were a considerable number of boroughs which had separate Courts of Quarter Sessions, and many of them had been created since the passing of the Municipal Corporations Act of 1835. He did not see why the County Justices should exercise jurisdiction in such boroughs any more than in those which were exempt prior to 1835.

Amendment proposed, in page 62, line 36, leave out from "county" to end of sub-section.—(*Mr. H. H. Fowler.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. HIBBERT said, he was sorry that he was unable to accept the Amendment of his hon. Friend. It would be very inconvenient to do so, as it would entirely change the course now adopted; and he hoped his hon. Friend would not press the Amendment.

Amendment *negatived.*

Clause *agreed to*, and *ordered* to stand part of the Bill.

Clauses 155 to 162, inclusive, *agreed to.*

Clause 163 (The recorder).

MR. BULWER said, he wished to move the Amendment which stood in his name on the Paper; and as the Committee might not appreciate the meaning of it without a little explanation he proposed to give that explanation. The sub-section to which the Amendment referred was the 7th of the clause; and it provided that there should be paid to the Recorder a yearly salary not exceeding that stated in the Petition on which the grant of a separate Court of Quarter Sessions was made, as Her Majesty should direct, but that such salary might at any time be increased by a Resolution of the Council approved by the Secretary of State. He proposed to add, at the end of the sub-section, the words—

> "And in the event of the salary of the recorder being increased as aforesaid, he shall thenceforth hold office as recorder with such increased salary without re-appointment."

Under the existing law the salary of the Recorder, as originally fixed, may be increased; and he knew that in several cases an increase had been made, with the approval of the Home Office. But it was the practice, as the law now stood, for the Home Office to require that before a Recorder could obtain an increase of salary he should resign his appointment, and that a fresh appointment should be made out at the increased salary. It so happened that several Recorders of boroughs were also Members of the House of Commons; and if the Council of a borough desired to increase the salary of a Recorder, who was also a Member of Parliament, the Recorder had not only to resign his appointment and be re-appointed, but, as it was an appointment under the Crown, it was necessary, by reason of the Statute which prevented him from accepting an office of profit under the Crown, without vacating his seat, that he should put himself to the expense and inconvenience of a re-election as Member of Parliament. He had no doubt it would strike the Committee, as it did himself, that it was altogether unnecessary that such a consequence should follow, and that a gentleman filling the position of Recorder of a borough, on having his salary increased by £10 or £20 a-year, should be required not only to resign his original appointment as Recorder, but should also be compelled to vacate his seat as a Member of Parliament, and go through the turmoil, possibly, of a contested election. He therefore proposed to amend the 7th sub-section of the present clause by adding the words—

"And in the event of the salary of the recorder being increased as aforesaid, he shall thenceforth hold office as recorder with such increased salary without re-apppointment."

He hoped, after the explanation he had given, that the Amendment would be accepted by the Government.

Amendment proposed,

In page 65, line 37, at end, add "and in the event of the salary of the recorder being increased as aforesaid, he shall thenceforth hold office as recorder with such increased salary without re-appointment."—(*Mr. Bulwer.*

Question proposed, "That those words be there added."

MR. HIBBERT said, he quite agreed with the object the hon. and learned Member had in view in proposing this addition, and he had no objection to the insertion of these words; but, at the same time, if it was found, on reconsideration, that the Amendment was mere surplusage, he presumed the hon. and learned Gentleman would not object to have them struck out.

MR. BULWER assented.

Question put, and *agreed to.*

Words *added.*

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clause 164 (The clerk of the peace) *agreed to.*

Clause 165 (The recorder to hold court of quarter sessions).

MR. H. H. FOWLER moved, in page 66, line 8, to leave out the words "and as he thinks fit or." He said the clause enabled the Recorder to hold a Court of Session once a quarter or oftener, as he might think fit, or as the Secretary of State should direct. Now, the holding of a Court of Sessions oftener than once a quarter imposed a burden upon the borough; and he thought the propriety of holding additional Sessions should not be left to the discretion of the Recorder, but to that of the Secretary of State. The hon. Gentleman the Secretary to the Local Government Board (Mr. Hibbert) had accepted a number of minor Amendments, which had very much improved the Bill; and he hoped that his hon. Friend, in a similar spirit, would accept this.

Amendment proposed, in page 66, line 8, leave out "and as he thinks fit or." —(*Mr. H. H. Fowler.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. HIBBERT said, he was sorry that he could not accept the Amendment moved by his hon. Friend. He did not think that it was desirable in every case that the consent of the Secretary of State should be obtained before an additional Court of Quarter Sessions could be held. He was not personally aware that the exercise of this power had been attended with inconvenience. Perhaps his hon. Friend might be acquainted with some special case in which inconvenience had resulted; but, if so, he had not mentioned it. Personally, he (Mr. Hibbert) was of opinion that no harm would result from leaving the discretion in the hands of the Recorder.

MR. H. H. FOWLER said, the same argument would apply to the holding of Assizes. Her Majesty's Judges were not allowed to hold Assizes at their pleasure; but they were fixed by Statute, and the additional holding of a Winter Assize was fixed specially by the Crown. He had no wish, however, to put the Committee to the trouble of a division upon a matter of this kind. At the same time, he hoped his hon. Friend the Secretary to the Local Government Board would reconsider his decision, and accept the Amendment, which merely provided that the discretionary power of holding additional Courts of Quarter Sessions in boroughs should be vested in a responsible Minister of the Crown, and not be left to the option of the Recorder.

MR. HIBBERT repeated, that he was unable to accept the Amendment.

MR. H. H. FOWLER said, he would withdraw it, and not put the Committee to the trouble of a division.

Amendment, by leave, *withdrawn.*

Clause *agreed to,* and *ordered* to stand part of the Bill.

Clauses 166 and 167 *agreed to.*

Clause 168 (Power for recorder to form a second court).

Mr. H. H. FOWLER moved, in page 67, line 18, to leave out "three," and insert "five." He explained that the object of the Amendment was to provide that a second Court should not be formed unless there was a probability of the Quarter Sessions lasting more than five days. He was afraid that it was a great temptation to do something in the nature of an abuse to empower the Recorder of his own will to constitute a second Court, the holding of which must necessarily put the borough to considerable expense, and also, to a certain extent, deprive the prisoners of the advantages of the tribunal provided especially for them, and which was constituted on a very different principle. He was afraid that he must press the Amendment, if his hon. Friend, acting on behalf of the Government, declined to accept it.

Amendment proposed, in page 67, line 18, leave out "three," and insert "five."—(*Mr. H. H. Fowler.*)

Question proposed, "That the word 'three' stand part of the Clause."

Mr. HIBBERT said, he had no objection to the Amendment.

Question put and *negatived.*

Word *substituted.*

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clauses 169 to 260, inclusive, *agreed to.*

SCHEDULES.

Mr. H. DAVEY said, that, before the Committee proceeded to consider the Schedules attached to the Bill, he wished to call attention to the fact that a Royal Commission had been appointed some time ago, on the Motion of the Under Secretary of State for Foreign Affairs (Sir Charles W. Dilke), to inquire into the state and condition of certain unreformed Corporations. That Commission had recommended that certain boroughs—10 in number—should be placed in the same position as the boroughs included in Schedule B of the Municipal Corporations Act; but he could not ascertain that anything had been done to give effect to the recommendation of the Commission. He would, therefore, propose to insert certain new clauses.

The CHAIRMAN: Has the hon. and learned Member got the clauses which he proposes to insert?

Mr. H. DAVEY said, he was not prepared at that moment to submit them; but, if necessary, he would bring them up on the Report.

The CHAIRMAN: It will be necessary for the hon. and learned Member to submit any new clauses he desires to propose in due form.

Mr. H. DAVEY said, he would postpone the matter until the Report.

Mr. HIBBERT thought he could satisfy his hon. and learned Friend that it would not be necessary to introduce these clauses. His right hon. and learned Friend the Secretary of State for the Home Department (Sir William Harcourt) had a Bill already prepared by which he proposed to deal with the unreformed Corporations, and that Bill would be introduced on an early day, as soon as the opportunity was afforded. He was not able to say precisely when the Bill would be brought in; but they would deal with the question to which the clauses suggested by his hon. and learned Friend related; and if his hon. and learned Friend were now to submit his clauses, he should, under the circumstances, be compelled to oppose their introduction into the present Bill.

Mr. H. DAVEY remarked, that, as a Bill had been prepared to give effect to the recommendations of the Commission, he should not deem it necessary to propose the clauses which he should otherwise have submitted.

Schedule 1 *agreed to.*

Schedule 2.

Mr. H. H. FOWLER said, he had given Notice of three Amendments in this Schedule—first, to omit Rule 2, which provided that no notice need be given of the business to be transacted at the quarterly meetings; secondly, to omit, in Rule 8, the reference to quarterly meetings; and, thirdly, to omit from Rule 7, which required that in every case, including the case of an adjourned quarterly meeting, but not including the case of an ordinary quarterly meeting, a summons to attend the meeting, specifying the business proposed to be transacted, and signed by the Town Clerk, should be left at, or sent by post in a registered letter, to the usual place of abode of every member of the Council, or at or to his qualifying property three clear days at least before the meeting—to omit from this Rule the words "or at or to his qualifying property." He did not propose to move the first two of the Amendments standing in his name, as he believed his hon. Friend the Secretary to the Local Government Board was not prepared to accept them. He would, however, move the third, which his hon. Friend was prepared to accept.

Amendment proposed, in page 105, line 21, leave out "or at or to his qualifying property."—(*Mr. H. H. Fowler.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. HIBBERT intimated that he accepted the Amendment.

Amendment *agreed to;* words *struck out.*

Schedule, as amended, *agreed to.*

Schedules 3 to 8, inclusive, *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Monday* next.

IRISH REPRODUCTIVE LOAN FUND ACT (1874) AMENDMENT BILL.

(*Mr. Blake, Colonel Colthurst, Colonel Nolan, Mr. O'Shea, Mr. O'Connor Power, Mr. E. Collins.*)

[BILL 133.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Arthur O'Connor.*)

MR. GIBSON thought, before the Speaker was allowed to leave the Chair, some statement should be made by a Representative of the Irish Executive as to the course they were going to take in regard to the Bill. He need hardly say that the Government at this time were entitled to every consideration and forbearance with regard to Irish Business; but, as there was no one connected with Irish affairs present to state that he considered it a matter of his deliberate judgment that it was desirable that the Bill should be then proceeded with, he should move that the debate be adjourned.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Gibson.*)

MR. MUNDELLA said, he hoped the hon. Gentleman in charge of the Bill would not think it discourteous if, under the circumstances, he asked him to consent to adjourn the debate.

MR. ARTHUR O'CONNOR said, he could see no objection to the House going into Committee on the Bill, which contained provisions that were exceedingly simple. At present there were certain funds which were not so available as they might be, and this Bill would make them more beneficially reasonable. However, under the circumstances, he would not oppose the Motion.

Motion *agreed to.*

Debate *adjourned* till *Monday* next.

BALLOT ACT CONTINUANCE AND AMENDMENT BILL.—[BILL 84.]

(*Sir Charles W. Dilke, Secretary Sir William Harcourt, Mr. Chamberlain, Mr. Attorney General.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Charles W. Dilke.*)

MR. GORST said, he should move the adjournment of the debate, as he thought it was not reasonable that a Bill of such importance should unexpectedly come before the House. He explained that the Government Orders on the Notice Paper, of which this was one, had not originally been fixed for that evening. They had been placed on the Paper for Monday, and had been moved *en bloc* on to Tuesday's Paper, in consequence of the adjournment on the previous day.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Gorst.*)

SIR CHARLES W. DILKE said, he thought it was a very singular use of the Forms of the House to move the adjournment of the debate at a quarter-past 6 o'clock, especially when they remembered that the Bill before them had been before the House during a Session and a-half. It was the same Bill as was before the House during the whole of last Session, when it was made the subject of considerable care upon proposals, all of which were proposals for Committee, and not for discussion on the second reading. He had never heard anything in opposition to the principle of this Bill—["Oh, oh!"]—at least, it had never reached him. There were many points in the Bill which would have to be dealt with in the Committee with extreme care; but they were not objections to the principle. Whatever might have been the objections to the Ballot Bill when it was originally introduced on the part of many hon. Members of the Conservative Party, they had been very largely abandoned; and they were, as a whole, prepared to assent to continue the existence of the Ballot, as they had done year after year. The question awaiting discussion concerned the machinery of the Bill only. There had been no suddenness about the matter. The Bill had been in the hands of hon. Members for six weeks, and had, on several occasions, been allotted a high position among the Orders. The second reading had been proposed without a speech, because he had thought it best to reserve his remarks until he could speak in reply to the observations of those who wished to criticize the measure.

Mr. BERESFORD HOPE said, he had experienced many extraordinary surprises in Parliament; but he had never known a more extraordinary one than the present. How was it, he asked, that this Bill came on now, on a private Member's night? Because on Monday, under those most horrifying and appalling circumstances, which had thrilled, not England only, but Europe and the world, the House had purposely risen without doing any Business at all, without even going through the usual form of putting off Bills. The whole Business of yesterday had simply been passed *en bloc* on to the Paper of to-day. The idea was that yesterday the House, without distinction of Party, rose horror-struck, and in sympathy with the Government, and it virtually allowed the Government till Thursday before resuming real work. On Thursday the Business came on of which the House had received intimation. The House heard with silence and deep gratitude that the Business which was then to come on was to take precedence of all other Business. To-day, by this pure accident, there happened to stand upon the Paper this Bill, which dealt with a most important Constitutional change, which had been in practice, no doubt, for some years. But it was a great question now whether the Ballot of a few years old, or the secret voting of centuries old—the open voting of centuries old—was to be the permanent rule for elections. As to what the Under Secretary of State for Foreign Affairs had said with reference to all objections to the Ballot having died away, did he remember a certain judgment that Mr. Justice Manisty gave two years ago, and did he remember the sensation which that caused, and the new light it threw on the question? This Bill had been announced as one of the great measures of the Session; and now the Government, by a dexterous use of opportunities, forced it on the House. Considering the circumstances and the generous indulgence which the Opposition were only too happy to extend to the Government on the previous day, he could not view the present conduct of the occupants of the Treasury Bench as justifiable or right. He thought this was a proceeding unparalleled in the dexterity of Parliamentary usage which it indicated. He would vote with the hon. and learned Member for Chatham; and he trusted the House would show its sense of this proceeding under circumstances where he should have thought wisdom would have prevented the introduction of any jarring element.

Mr. WARTON said, he thought this was a somewhat singular proceeding on the part of the Government. Though this Ballot Act was one of the important measures referred to in the Speech from the Throne, the second reading was proposed without a single word. He thought that was not respectful to the House. For his part, he did not approve of the principle of the Bill. He hated and detested the Ballot, because it led to gross corruption. The dodge by which the Government worked Bills was to tell them that they would be fully discussed in Committee; and then, when they got into Committee, they were told the principle of the Bill had been accepted on the second reading, and, therefore, they must not discuss it in Committee. They did not approve of the principle of the Ballot at all. Apart altogether from the corruption it had encouraged, the present system of secret voting made it impossible to attribute to particular classes the changes of opinion which sometimes affected the political destinies of the Empire.

MR. RITCHIE said, he thought the hon. and learned Member for Chatham (Mr. Gorst) was justified in objecting to this measure being proceeded with in the absence of Members interested in it; but he was afraid that, if a division were taken on the question of adjournment, people outside of the House might suppose that the division was upon the subject of the Bill itself, and he feared that opinion would be considerably strengthened by the speech just delivered by his hon. and learned Friend (Mr. Warton). For his own part, he was not afraid of the action of the Ballot; and he thought it was quite impossible now to reverse the decision which the House came to years ago with reference to a Bill which had worked satisfactorily. He, therefore, thought they could not object to the second reading of the Bill, and hoped the hon. and learned Member for Chatham would content himself with having drawn attention to the fact that some Members of the House, who might have desired to speak on the subject, were not present.

MR. THOMAS COLLINS, while objecting to the Ballot, pointed out that if hon. Members were not prepared to oppose the continuance of that measure they were really wasting time. He believed nothing had done more to debauch and demoralize and corrupt the constituencies than the Ballot; but, at the same time, if the Leaders of neither of the Parties in the State were prepared to reverse the policy instituted some years ago, he thought there could be no serious objection to the second reading of the Bill.

SIR STAFFORD NORTHCOTE: I do not altogether agree with my hon. Friend that if you are not prepared to oppose a Bill, therefore you ought to allow it to be read a second time. Of course, the question is whether the House has been, by the circumstances of the case, somewhat taken by surprise in the time in which the measure has been brought forward; but, at the same time, I agree with the hon. Member for the Tower Hamlets (Mr. Ritchie) that a division on the proposal to adjourn the debate might be taken as a division upon the merits of the Bill; and, as I do not intend to oppose the second reading of the Bill, I shall not vote for the adjournment. But I wish to put this point to the Government. There is no doubt that on the second reading of a Bill there are opportunities for a more perfect discussion of points in a Bill than arise in Committee. Now, the 6th clause of this Bill is one of a very important character. The hon. Baronet says the Bill will be discussed in Committee; but we never know when we shall have a discussion in Committee. I therefore think we have a right to call on the Government to undertake that, if the second reading is agreed to now, they will arrange the next stage at such a time as to give a convenient opportunity for the discussion of the Bill on the question of the Speaker leaving the Chair, so that it may be discussed in the manner in which it would have been discussed on the second reading. The Government have certainly gained an advantage which was not contemplated; and, if that understanding is come to, we shall have an opportunity of full and fair discussion. It does not at all follow that because you are prepared to continue the principle of the Ballot Act, there may not be many observations to be made on the working of the system—some of them apart from the question of the 6th clause; and an opportunity ought to be given for the full and fair discussion of those questions. Many hon. Members had not the least idea that the question would come up to-day, and others who are present may not be prepared to speak upon it. I therefore think we have a right to ask the Government that they will put the stage of Committee at such another time as will enable the House to discuss it. With reference to what was said by my right hon. Friend the Member for the University of Cambridge (Mr. Beresford Hope), I quite understand that this is one of those measures that would be included in the declaration of the Prime Minister that they would not interfere with the Irish Business. But dealing with this Bill to-day does not at all interfere with the progress of the Irish Business of the Government. If it were proposed to set aside the Irish measures for the sake of going on with this Bill, I should certainly oppose such a proposal; but it does not appear to me that it will.

Mr. CHAMBERLAIN: Sir, I am in some difficulty in understanding the position taken up by the right hon. Baronet the Leader of the Opposition. It certainly is not the intention of the Government to deprecate the fullest discussion of both the principle and the clauses of the Bill; but I cannot, for the life of me, understand why the present is not a favourable opportunity for that discussion which we understand Members of the Opposition are anxious to engage in. The point which the right hon. Baronet makes is that the discussion has come on unexpectedly; but in this House, as in many other places, it is the unexpected that always happens. Bills continually come on unexpectedly, and there is really nothing very extraordinary in what has happened to-day. The right hon. Member for the University of Cambridge (Mr. Beresford Hope), in terms to which I do not take any exception at all, has spoken of the generous conduct of the House, and of the Party to which he belongs, in accepting the adjournment yesterday under the pressure and in view of the terrible calamity which so deeply affected the mind of the whole country. I agree with the right hon. Gentleman that that was a gracious act, and, I believe, entirely in sympathy with the sentiment of the country; but I do think the right hon. Gentleman has in some sort detracted from the graciousness of that act when he imputes to the Government an unworthy motive in taking advantage of that to bring on this Bill. Suppose the House had not adjourned yesterday, and the ordinary Business had taken place, what would have happened then? Nothing is more probable than that, if this Bill had not been reached, it would have been put down for to-day.

Sir STAFFORD NORTHCOTE: The Motion of my right hon. Friend the Member for East Gloucestershire (Sir Michael Hicks-Beach) was put down for to-day.

Mr. CHAMBERLAIN: What I mean is, that there was nothing exceptional in the position. If not on this Tuesday, then on some other Tuesday the Bill might have been put down, and reached, by an accident, when the Business which was down before it had gone off. It has been down on more than one Tuesday already, and, on one occasion, was very nearly reached. It has been down on other nights not Government nights, and the Government have put it second or third on the Paper on more than one occasion; and hon. Members opposite, who, I suppose, are opposed to the principle of the Bill, have discussed Bills preceding it at somewhat great and unnecessary length, and prevented its being reached. I think, under the circumstances, and in the face of an opposition of that kind, we are justified in asking the House to take advantage of this opportunity and go on with the discussion. The right hon. Gentleman the Member for the University of Cambridge and the hon. and learned Member for Bridport (Mr. Warton) have complained of the Under Secretary of State for Foreign Affairs for saying that, in his mind, the objections to the principle of the Bill had now been removed, and the general feeling of the House was in favour of the principle of the Bill. I shall not ask the hon. and learned Member for Chatham (Mr. Gorst) to withdraw his Motion, for I confess I should not be at all sorry to see a division taken; and I should be glad to accept that division as a test of how many persons there are in the House who object to the principle of this Bill. I have no doubt they would be a small but faithful band, and I think it would be interesting to the House to know in what quarter they are to be found.

Sir R. ASSHETON CROSS: The speech of the right hon. Gentleman is, I think, a most unfortunate one. The right hon. Gentleman will excuse my saying so; but he makes a charge against Members of this House which he has no right to make. He has deliberately stated that hon. Members have talked on other Bills to keep this Bill off. No such thing, to my recollection, has ever taken place. [*Cries of* "Hear, hear!" *and* "Oh!"]

Mr. CHAMBERLAIN: I would like —[*Loud cries of* "Order!"]

Mr. SPEAKER: The right hon. Gentleman (Sir R. Assheton Cross) is in possession of the House; and at the end of his address, if there is any explanation, it can then be made.

Mr. CHAMBERLAIN: Does the right hon. Gentleman wish to know what I said? [*Renewed cries of* "Order!"]

Sir R. ASSHETON CROSS: The right hon. Gentleman stated most distinctly that hon. Members have talked to keep off the discussion of this Bill.

MR. CHAMBERLAIN: I did not say that.

SIR R. ASSHETON CROSS: Then I should like to know what the right hon. Gentleman did say?

MR. CHAMBERLAIN: I could not say it, as a fact, that that was their object; but I said that they had talked at what seemed to us to be great and unnecessary length on Bills preceding this Bill, and had thereby produced on our minds the impression that they were trying to keep this Bill off.

SIR R. ASSHETON CROSS: That is precisely the charge which I say he has no right to make. Is that the way in which the Business of this House is to be conducted? I had to remind the House at an earlier period of the Session that you, Sir, had to ask of Her Majesty, at the beginning of this Parliament, that the best construction should be placed on all our actions. I had to remind the House that in case certain Resolutions were passed, I thought we should not get from the Ministry the same promise as we got from the Crown. All that my right hon. Friend asks is, that as Members did not expect the House to go on with this Bill, an opportunity should be given for discussing it upon the Motion "That Mr. Speaker do now leave the Chair." No one expected that this Bill would come on to-day, and I should have thought the extremely fair observation of the right hon. Gentleman would have been met in a better spirit than the President of the Board of Trade has shown. I hope wiser counsels will prevail, and that we shall obtain from the Government the undertaking that hon. Members shall have a fair opportunity of stating their objections to the Bill.

MR. MUNDELLA said, he did not think that it could be justly complained that the Bill came on unexpectedly, as he had, earlier in the evening, intimated to the right hon. Gentleman the Member for South-West Lancashire that this Bill would be proceeded with if time permitted.

SIR R. ASSHETON CROSS observed that that was true; but he only found out that the Bill would certainly come on 10 minutes before it was reached, when most of his hon. Friends had left.

MR. MUNDELLA said, he, nevertheless, thought the Government proposal fair and reasonable, seeing it was intimated they should expect to take some Business to-night. He might point out to the right hon. Gentleman that he had himself just got a most important Bill read a second time in the absence of those who opposed it, and without offering any explanation. On two previous occasions, when the Ballot Bill was before the House, the questions immediately preceding it were under discussion till within two minutes of half-past 5, so that the Bill was adjourned. Surely the Bill having been in operation for the last 10 or 12 years, a Bill for its continuance did not require much discussion as regarded its principle.

COLONEL STANLEY appealed to the Government whether even now they would not reconsider their decision, as there could be no doubt as to the fact that many Members had gone away under the impression that the Bill would not come on. If it was proceeded with, they might have an irregular or, possibly, acrimonious discussion, and the Government would only have succeeded in wasting the time of the House, because the same discussion could take place on the Motion for going into Committee, whether the Government liked it or not. But if the Government insisted on the second reading being taken then, it should be on the understanding that a full discussion would take place on the Motion for going into Committee.

MR. RAMSAY said, he was sorry that the House should get into the state of feeling which seemed to exist. He felt the Government would have been open to much blame on both sides if they had not brought on this Bill on an occasion like the present. He pointed out that the right hon. Gentleman, or any other person on the opposite side, would have their opportunity, apart from any undertaking by the Government, though he thought it might be readily conceded by the Government to those hon. Gentlemen, that the Bill would be brought on in its future stages at an hour when there would be fair opportunity for discussion. But to interrupt Business because the Government did not see their way to make the concession asked for was, in his opinion, a mistake. To the Bill itself he had some changes to suggest when they got into Committee. He referred to the time within which an election must take place after the receipt of the Writ by the Returning Officer. In the case of groups of burghs, the law at present allowed 15 days to elapse between the receipt of the Writ and the polling. In the case of a single burgh, again, the greatest time that could elapse was eight days. He thought it absurd, in the present time, when there were so many facilities for communication, that there should be 15 days of an interval in the case of groups of burghs, the same as it was in counties, and that a modification of the law should be made in this particular. His object in rising, however, was to deprecate any irritating discussion when they were all desirous to have a better state of feeling prevail.

Earl PERCY said, he entirely sympathized with the remark of the hon. Gentleman who had just sat down; but the way to avoid irritation was for the Government to assent to the very reasonable proposal that had been made. Hon. Members had asked why some Members had gone? He would tell them the reason why. It was because they thought Englishmen and Gentlemen—["Oh!"]—would not at this hour take advantage of so dreadful a circumstance—["Oh, oh!"]—and the manner in which—["Oh!" *and* "Withdraw!"]—and the manner in which—[*Renewed cries of* "Oh!" *and* "Withdraw!"]—and the manner in which—[*Cries of* "Withdraw!"]—yes; it was entirely owing to what occurred yesterday that the Government had been able to bring on this Bill to-night; and he would be surprised to hear from the Treasury Bench any argument to prove that was not so. The understanding was that the Motion of the right hon. Gentleman the Member for East Gloucestershire (Sir Michael Hicks-Beach) should be taken yesterday and to-day, in consequence of which private Members did not put down Motions upon the Paper; and when it was known yesterday that was not to be the case, private Members still refrained from putting Notices upon the Paper; therefore, he said it was distinctly in consequence of what happened yesterday that the Government had been able to bring this question forward, when it was known to be distasteful to hon. Members on that side of the House. He considered it was an unfair advantage, and was not decent on the part of the Government. He hoped, however, his hon. and learned Friend (Mr. Gorst) would not press his Motion, because, from the present temper of the House, there was no doubt they would be able to snatch an advantage.

Mr. ARTHUR ARNOLD said, he was quite sure there was no Member on either side of the House who thought he would, under any circumstances, impute to him that which the noble Lord had imputed to Members on that side of the House. He had entered the House while the right hon. Member for South-West Lancashire (Sir R. Assheton Cross) was speaking, and thought the right hon. Gentleman's remarks somewhat unreasonable and ungrateful. The right hon. Gentleman had, again and again, during this Session, pressed the Government with reference to another measure—the Settled Land Bill—for opportunities to bring it before the House; but now, after getting an opportunity for his own undertaking, he was inclined to prevent the Government from proceeding with a measure of their own. The right hon. Gentleman in his (Mr. Arthur Arnold's) momentary absence had just passed through a most important stage a Bill to which he was opposed, and he deeply regretted having missed the opportunity of challenging it. But he was at a loss to understand how, with that proceeding so new and fresh in his mind, the right hon. Gentleman could have offered the observations he had just made.

Mr. LYULPH STANLEY stated, in fairness to the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross), that he had spoken to the right hon. Gentleman with reference to the Amendment of the hon. Member for Salford (Mr. Arthur Arnold) to the Settled Land Bill, and had said, of course, if the Bill were read a second time, it would be on the understanding that his hon. Friend would have an opportunity of raising his objection on the Motion for going into Committee. The right hon. Gentleman had assented, and, therefore, they might ask him to allow the present Bill to be advanced a stage. It would be practically impossible to prevent hon. Gentlemen opposite from raising a discussion, if they chose, on the question that the Speaker leave the Chair.

Sir HENRY SELWIN-IBBETSON said, that all that had been asked from the Government was an assurance that an opportunity for a fair discussion should be given to the House generally on going into Committee on the Bill, and that no surprise should be possible on that occasion. He should have thought that that request would. have been acceded to at once.

Mr. GORST said, that when he brought forward his Motion he thought the Government would have agreed to it almost as a matter of course. If, however, under the circumstances, the Government deemed it right to press on their Business, they must do so. He begged to withdraw his Motion.

Motion, by leave, *withdrawn.*

Original Question again proposed.

Sir WALTER B. BARTTELOT said, that when he saw on the Front Bench opposite Gentlemen who had introduced a Corrupt Practices Bill, he thought they showed scant courtesy to the House in not making some statement to the House at once on the Ballot Act. It could not be denied that great corruption at elections had been practised under the Ballot Act. Representations had been made to ignorant and illiterate voters that they could take money from both parties, and at the same time give their vote as they pleased, without anyone knowing how they voted. This, he believed, had, to a great extent, been done; and, as a consequence, the Ballot Act was responsible for a great deal of corruption. No doubt, in Committee they would have ample opportunity of discussing the measure; but the 2nd clause, relating to polling-places, deserved serious attention, and he felt they ought to have had from the Treasury Bench the reasons for inserting that provision in the Bill. They should also have been informed why power had been given to large constituencies to vary the hours of polling. He regretted that the right hon. and learned Member for Whitehaven (Mr. Cavendish Bentinck) was not present, because he understood that that right hon. and learned Gentleman had much to say to the House on that measure. He considered it altogether unwise and impolitic to proceed at the present moment and in the present state of the House with the Bill; and when they found they were treated in this way with regard to the Business of the House, they would be obliged in the future to take more care before they granted concessions. He felt sure that yesterday, if they had asked that no Government Business should be taken today, the Prime Minister would have stated that such was his intention, and that, until Thursday, nothing should be done; for in that grave crisis in Ireland nothing should be allowed to be done in that House but the passing of measures for preventing crime and outrage. Therefore, he thought it was stealing a march on the House to go on with this Bill. At the same time, he did not think it would be wise to take a division on the second reading.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

CORRUPT PRACTICES (DISFRANCHISEMENT) BILL.—[Bill 118.]

(*Mr. Attorney General, Secretary Sir William Harcourt.*)

SECOND READING.

Order for Second Reading read.

The ATTORNEY GENERAL (Sir Henry James) said, that, as far as he was personally concerned, he was most anxious to proceed with the second reading; but it was only right he should state that several Members, and especially the right hon. Member for East Gloucestershire (Sir Michael Hicks-Beach) had communicated with him, and had asked that Notice should be given before the Bill was brought on; and he had informed them that Notice would be given. But for that fact, he should have been very glad to go on with the Bill at once.

Mr. LEWIS said, he thought it would have been a very hard thing if this Bill had been pressed on; but he would have been quite prepared to find the Bill moved, as the Ballot Act Continuance Amendment Bill had been. He knew the honour of the hon. and learned Gentleman, and therefore did not think he would, on this occasion, proceed with it in the face of any opposition; but it was a fair commentary on what the Government had, in the earlier part of the proceedings, shown itself capable of doing.

Second Reading *deferred* till *Monday* next.

PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.—[Bill 21.]

(*Mr. Attorney General, Secretary Sir William Harcourt, Mr. Chamberlain, Sir Charles W. Dilke, Mr. Solicitor General.*)

COMMITTEE.

Order for Committee read.

The ATTORNEY GENERAL (Sir Henry James), in rising to move that the House should go into Committee on the Bill, said, he proposed that, as a matter of form, Progress should be immediately reported, and that the Bill should not be brought on again without Notice.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Attorney General.*)

Sir R. ASSHETON CROSS said, he had no objection to the Bill going into Committee at once, provided that due Notice were given of the intention to bring the Bill on again, and provided it would be brought on at a reasonable hour, so as to give time for discussion.

Mr. CHILDERS said, he thought the suggestion very fair, and he could assure the right hon. Gentleman that the Bill should not be brought on again without due Notice, nor after 12 o'clock.

Mr. THOMAS COLLINS said, he hoped the Government would not proceed a further stage in Committee with this Bill, without first dealing with the Disfranchisement Bill.

Motion *agreed to.*

Bill *considered* in Committee.

Committee report Progress; to sit again upon *Monday* next.

CONTUMACIOUS CLERKS BILL.

(*Mr. Morgan Lloyd, Baron de Ferrieres, Mr. Hussey Vivian, Sir Thomas Chambers, Mr. Abel Smith, Mr. Greer, Mr. Cecil Forester.*)

[BILL 41.] SECOND READING.

Order for Second Reading read.

Mr. MORGAN LLOYD, in moving that the Bill be now read a second time, said, the Bill proposed that any person now in prison, or who should in future be imprisoned for disobedience of Ecclesiastical Law, should be released at the end of six months. It contained provisions amending the Church Discipline Act and the Public Worship Regulation Act, 1874, and making them more effectual. It proposed to give the Judge power to deprive a clerk of his benefice or other preferment, for contumacy instead of awarding imprisonment, and thus to avoid the scandal of keeping a man in prison for an offence against the Ecclesiastical Law. Every clergyman was bound to obey the law of the Church as declared by the authorized tribunals; and if he persisted in his disobedience, however conscientious his motives might be, he could not be allowed to hold his preferment and continue to set the law at defiance. Imprisonment was not the proper remedy, and was not in accordance with modern ideas. If he could not conform to the law of the Church, he was not fit to hold office in it; and if, under such circumstances, he be deprived of his preferment, after a fair trial, public opinion would approve of the sentence.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Morgan Lloyd.*)

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Sir R. ASSHETON CROSS said, he hoped that, inasmuch as the whole subject was being dealt with by the Royal Commission which was appointed last year, the House would not proceed with the Bill before the Commission had made their Report.

Colonel MAKINS said, he hoped the hon. and learned Member opposite (Mr. Morgan Lloyd) would feel the force of the right hon. Gentleman's observations, and not force a discussion on the House. He would, therefore, move his Amendment, that until the Royal Commission on Ecclesiastical Courts had reported, it was inexpedient to proceed with any Bill on the subject.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "till the Royal Commission now sitting on Ecclesiastical Courts shall have reported, it is inexpedient to proceed with any Bill dealing with the discipline of the Clergy."—(*Colonel Makins.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

The ATTORNEY GENERAL (Sir Henry James) thought the Amendment went a little too far in declaring that it was inexpedient to proceed with any Bill dealing with the discipline of the clergy. It would be a question for the House to consider what should be done with contumacious clerks who did not conform to the law; but he hoped the hon. and learned Gentleman would assent to the adjournment of the Bill. To simplify matters, he would move that the debate be adjourned.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Attorney General.*)

Mr. THOMAS COLLINS observed, that the Church Discipline and Regulation Act was a most mischievous measure, and the present Bill was intended to enlarge its operation. He hoped that the debate would be adjourned, as it could not possibly come on again during the present Session.

Mr. MORGAN LLOYD said, he was very anxious to proceed with the Bill, but saw no alternative, under the circumstances, but to agree to the Motion for Adjournment. He hoped, at the same time, that some of the Amendments would be withdrawn.

Mr. JOHN BRIGHT: Sir, I have, along with many other hon. Members, I suppose, received numerous applications to forward a measure which will have the effect of liberating a clergyman who is now in prison in Lancaster Castle. This Bill, I believe, is intended to have that effect. The hon. Member for Knaresborough (Mr. T. Collins) thinks this Bill will never come on again; but if my hon. and learned Friend (Mr. Morgan Lloyd) were to shorten the Bill, if he were to get rid of all those matters which do not affect the question which is the origin of the Bill, I think it might become law very soon. I am not a Member of the Church of England; but if I were a Member of that Church I think I should have started this question much earlier. It seems to me a very painful scandal that a minister of the Church, of very good character, who has only been, as most people think, too zealous in the performance of his duties, should be now in one of the public prisons of the country, and that he should have been there over 12 months. I have seen a paragraph in a newspaper which states that Mr. Green is shut up in the very room in which the founder of the religious sect to which I belong was shut up two centuries ago. Whatever want of sympathy there was in those days of George Fox, at any rate, I have no want of sympathy for Mr. Green. I am only astonished that, knowing there is in this House a majority, an overwhelming majority, in favour of the Established Church, some means have not been taken before this to liberate Mr. Green and remove the scandal which attaches to our Church system. I hope my hon. and learned Friend will be able to propose, at some not distant day, a Bill, one or two clauses of which will be considered, and by which that gentleman—honest as I believe he is, mistaken as I think he is—may be liberated, and the Church may be delivered from what I think a discredit, and which every member of it must feel to be a very painful one.

Sir R. ASSHETON CROSS said, he was quite sure that no member of the Church of England could regret more than he did the fact that an earnest minister, though a mistaken one in opinion, should be detained in prison, whether for a long period or at all. He believed that if Mr. Green had only given the slightest promise that he would obey the ruling of his Bishop and the order of the Court, or even, he believed, if he had said he would only obey his Bishop, he might have beeen released, He (Sir R. Assheton Cross) thought it a very grave mistake that for acts of that kind a minister should be imprisoned at all. He did not think it was a right way of dealing with him; and he should be glad to support a Bill abolishing imprisonment for offences like those for which Mr. Green was suffering. He quite agreed with the penalty of deprivation or suspension; but he had never been able to see why a clergyman should be imprisoned as Mr. Green and others had been.

Mr. WARTON said, he admired the liberality of sentiment of the right hon. Gentleman the Chancellor of the Duchy of Lancaster, and only wished the same liberality had been shared by the right hon. Member for Bradford (Mr. W. E. Forster), who, at the end of last Session, counted out the House when a Bill was brought in which might have liberated Mr. Green.

Question put, and *agreed to*.

Debate *adjourned* till *Tuesday* next.

SPIRITS IN BOND BILL.—[BILL 54.]

(*Mr. O'Sullivan, Colonel Nolan, Mr. Richard Power, Mr. Redmond, Mr. Daly.*)

SECOND READING.

Order for Second Reading read.

MR. O'SULLIVAN, in moving that the Bill be now read a second time, said, the Bill had, in a former Session, passed unanimously in that House, and was supported, he believed, not only by the distillers on the one side, but by the temperance party on the other. During this Session it had been blocked by the hon. and learned Member for Bridport (Mr. Warton). The Bill was one for the public benefit. It was very short, and would not occupy more than a minute in reading. It merely provided that spirits should be kept in bond for 12 months. It was well known that good spirits improved by keeping and bad spirits deteriorated, so that, if it were possible to keep spirits in bond for two years, it would be so much the better. He believed, if this Bill was passed, it would do more for temperance than many of the Temperance Bills that had been brought into the House, because it was generally the quality, and not the quantity, that proved mischievous. He hoped there would be no objection to the second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. O'Sullivan.*)

MR. MUNDELLA said, he hoped the hon. Member would not press the second reading, seeing that no Member representing the Treasury was present. He trusted that the hon. Member would bring on the Bill another day.

MR. O'SULLIVAN said, his Bill would hardly have a chance another day, as it was blocked by the hon. and learned Member for Bridport (Mr. Warton.)

SIR WILFRID LAWSON said, he thought it rather hard on the hon. Gentleman that he should be opposed now that he had become a temperance reformer. The Bill might be read a second time, and if anything were wrong it could be put right in Committee. All the hon. Gentleman wanted to do was to keep spirits in bond for one year; last year he wanted to keep them in bond for two years. The longer he kept them in the better.

MR. W. H. SMITH said, he hoped the postponement would be agreed to, as he thought the Bill, in its present form, was one which the Government could not approve.

MR. BOORD said, he understood that this was a general Bill, and not a Bill confined to Ireland. By keeping spirits in bond, it would stop the trade; and though this might or might not have a good effect, according to the view of hon. Members, the present occasion was hardly a fit one for discussing the matter. He was strongly opposed to the second reading being taken that day.

MR. CROPPER begged to move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Cropper.*)

MR. O'SULLIVAN said, he was rather surprised to hear the right hon. Gentleman (Mr. W. H. Smith) say that the Bill ought to be opposed by the Government. He had not opposed it himself when he was in Office. The Bill was simply and solely to retain spirits in bond for 12 months, and it did not at all interfere with the sale and re-sale of spirits in bond. He hoped the Motion for the adjournment would not be persevered with.

MR. LYON PLAYFAIR said, that in the unfortunate state in which the House was now, without an Officer of the Treasury, the Treasury asked him to look after the Finance Bills, as by custom his name was on their back. Perhaps a Bill of this kind might not very much interfere with the regulations in regard to finance; but, at the same time, the House was ignorant of the facts. They ought to have the knowledge of those who were responsible for the finances of the country on that subject; and therefore it would be quite impossible, under the circumstances, for the Government to accept the second reading of a Bill of this kind.

Question put, and *agreed to.*

Debate *adjourned* till *Monday* next.

House adjourned at a quarter before Eight o'clock.

HOUSE OF COMMONS,

Wednesday, 10*th May*, 1882.

MINUTES.] — Public Bills—*Ordered—First Reading*—Customs and Inland Revenue Buildings (Ireland) * [156].

First Reading—Supreme Court of Judicature Acts Amendment * [154]; Local Government (Ireland) Provisional Orders (Ballymena, &c.) * [155].

Second Reading — Capital Punishment [55]; Licensing Laws (Scotland) [86], *debate adjourned.*

Committee—Report—Consolidated Fund (No. 3)*.

Third Reading—Commons Regulation Provisional Orders * [117]; Military Manœuvres * [134]; Documentary Evidence * [143], and *passed.*

Withdrawn—Women and Children Protection * [13].

MOTION.

FUNERAL OF THE LATE LORD FREDERICK CAVENDISH—ATTENDANCE OF MEMBERS OF THIS HOUSE.

MOTION FOR ADJOURNMENT.

Lord RICHARD GROSVENOR: Sir, in the absence and on behalf of my right hon. Friend the First Lord of the Treasury, I beg to move that the House at its rising this day do adjourn until 9 o'clock to-morrow evening. I believe, Sir, that this proposal will be in consonance with the feelings of Members of this House, as it is made in order that an opportunity may be afforded to them of attending the funeral of Lord Frederick Cavendish. I regret that I have not been able to give a longer Notice of this Motion; but the fact is the arrangements were not completed until after the rising of the House last evening. It was therefore out of my power, or the power of my right hon. Friend the First Lord of the Treasury, to give longer Notice of this. I trust that the Motion will meet with the acceptance of the House.

Sir R. ASSHETON CROSS: I am quite sure that the noble Lord has only spoken the feeling of every Member of the House; and in the absence of my right hon. Friend (Sir Stafford Northcote) I readily second the Motion, in order that we may show our deep sense of the severe loss we have sustained.

Motion made, and Question, "That this House, at its rising this day, do adjourn till To-morrow, at Nine o'clock in the Evening,"—(*Lord Richard Grosvenor*,)—put, and *agreed to.*

ORDERS OF THE DAY.

CAPITAL PUNISHMENT BILL.

(*Mr. Arthur Pease, Mr. Joseph Pease, Dr. Cameron, Mr. Justin M'Carthy.*)

[BILL 55.] SECOND READING.

Order for Second Reading read.

Mr. J. W. PEASE, in moving that the Bill be now read a second time, said, he had, on previous occasions, brought forward Bills or Motions providing for the total abolition of capital punishment summarily and at once; but anyone who had listened to the debates that had taken place must feel, as he had felt, that the subject had been fully and fairly discussed, and that right hon. and hon. Members on both sides of the House had debated it in a way that was satisfactory; he therefore felt it was no longer of much use, in the present state of feeling, both in and out of the House, to occupy the time of the House in trying to pass a Bill for the total and immediate repeal of capital punishment. If he had not, some months ago, made up his mind with respect to what he ought to do, he thought the circumstances which had been alluded to that day would be much against the object he then had in view. When a Colleague whose loss they so much deplored was removed from their midst, not by the ordinary laws of nature, but by a most cold-blooded and ferocious murder, they felt more or less staggered, and they felt that whatever was the greatest punishment the State could inflict upon the murderers ought to be inflicted. It was not for him to discuss at present whether the death penalty was the greatest the law could inflict, or whether the deterrent effect was greater of capital punishment or of imprisonment for life, for he believed that the House and the public out-of-doors would, in the present circumstances, be utterly disinclined at that moment to look calmly or quietly on any proposal for the total abolition of the punishment of death. He therefore threw on one side, at once, those arguments with which he was most familiar, applying to the total abolition of capital punishment; and he wished to confine himself to that view which was taken by those on whose opinion the public would place great confidence—namely, what was the best step for the country to take with respect to the present law. In the debate of 1881, it was agreed pretty clearly on both sides of the House that murder, as at present defined by the law, and decided upon by Judges, could be divided into murder of two degrees. Murder of the first degree was intended originally to be confined to actual premeditated murder—that was literally with deliberate malice prepense and aforethought. He thought that that definition, which had become—as was said by the hon. and learned Member for Bridport (Mr. Warton) during the debate last year—very much whittled away in recent times, should be clearly laid down. He had for this purpose endeavoured most strictly to confine the provisions of his Bill to the recommendations of the Report of the Commission which sat in 1866. If the crime of murder could be divided into those two degrees, in the one category would be placed all cases in which the Secretary of State for the Home Department would now be likely to decline to recommend the exercise of the Prerogative of Mercy, and the other category would consist of those crimes in connection with which the Prerogative of Mercy would, in the existing state of things, be undoubtedly exercised. This division of murder into murder of the first and murder of the second degree was strongly recommended in the Report of the Commissioners appointed some years ago to inquire into the subject of capital punishment; and it had been attended with satisfactory results in many of the older States of North America and in several of the Continental States. If the division which he advocated in connection with the crime of murder were agreed to, an important question would have to be decided — namely, to whom should be given the right of determining to which category of murder each individual crime belonged; to the Judge or to the jury. He had heard it debated with very great force that, as a discretionary power was given to a Judge to modify penalties, it might safely be left in his hands to modify the sentence to such penal servitude as he might think best in lieu of the penalty of death; but he believed if it were left in the hands of the Judges it would not be satisfactory to the public nor to the House. He was inclined to share the views of Sir George Grey, who argued, in the course of the proceedings of the Capital Punishment Commission, that if it were left to the jury to say whether a crime was of the first or of the second degree, the question of sentence would no more be placed in the hands of the jury than it was under the existing system, in accordance with which a jury could find a verdict of manslaughter instead of a verdict of murder. A Judge was not infallible, and the doctrine of infallibility would not apply to a Judge any more than it did to a jury; but if his Bill found favour with the House, it would very much simplify the action of the Judges, and would also very much simplify and aid the action of the Home Secretary. The Bill provided that every person convicted of murder in the first degree should be liable to the punishment of death; and that every person convicted of murder in the second degree should be liable to penal servitude, or imprisonment for any term permitted by law. He also proposed that on every trial for murder it should be left to the jury to find whether the person accused was guilty in the first or second degree. It was not a new experiment, having been tried in many countries abroad; and he thought there would be no doubt that if his Bill passed it would relieve the right hon. and learned Gentleman the Home Secretary from something like nine-tenths of the cases that now came before him, and, therefore, would not only be an act of justice to the criminals, but would be placing the law upon a much more satisfactory basis. For the last 20 years 54 per cent only of the persons convicted of capital offences had been hanged; and he thought it would be an act of justice to the Home Secretary to relieve him of the responsibility which in many of these cases he had to exercise. While saying that, he would admit that the Crown's Prerogative of Mercy had been most judiciously exercised, and he did not propose to interfere with it. His Bill did not deal with any alterations further than bringing the law back to the old lines of murder where there was malice prepense and aforethought. It left the question of accessories exactly where it was, and it also left in the hands of the Home Secretary the exercise of the Prerogative of Mercy belonging to the Crown. If the Bill were agreed to, as he hoped it would be, it would undoubtedly have the effect of materially improving the existing law, and placing the whole question in a much more satisfactory condition, for it would enable the Courts to deal with all cases of murder more fully and conformably to the feeling of the present time. It also had the support of the very able Commission which looked carefully into the question. The time for capital punishment was passing away, and some were more anxious that it should pass away rapidly than others. The hon. Gentleman concluded by moving the second reading of the Bill.

Sir EARDLEY WILMOT said, he had great pleasure in seconding the Motion, believing it to be just and politic that the crime of murder should be divided into first and second degrees. He cordially agreed with the opening observations of the hon. Gentleman opposite (Mr. J. W. Pease) respecting the inopportuneness at the present time of any proposal for the abolition of capital punishment. He (Sir Eardley Wilmot) had previously opposed the hon. Gentleman when he had introduced proposals to abolish capital punishment; but he (Sir Eardley Wilmot) supported him now, because in 1877 he introduced a Bill almost identical with that introduced by the hon. Gentleman, following, as the hon. Gentleman had done, the Report of the Capital Punishment Commission. He quite agreed with the hon. Gentleman that a more able Report was never issued by any Commission. That Commission gave full consideration to every branch of the subject submitted to them, and part of the year 1865 and part of the year 1866 were occupied by the Commission in taking evidence of a most important character. The system proposed in the Bill had been adopted with great success in the United States, and lawyers who had given much consideration to the subject could not help coming to the conclusion that this country should avail itself of valuable improvements and useful reforms adopted by our brethren across the Atlantic, especially when those improvements and reforms were supported by the unanimous opinions of eminent American Judges and statesmen. The general tendency of those opinions was in favour of dividing the crime of murder into first and second degrees, and of abolishing capital punishment as regarded the latter, and that opinion had been largely approved in this country. Perhaps a difficulty might be obviated by a section to be introduced into the Bill including all murders which were not in the first degree in the second degree. He would appeal to the hon. and learned Gentleman the Attorney General to allow the Bill to be read a second time, if only to show the people of the United States that Parliament was in earnest in improving our Criminal Code. If they could not pass a Criminal Code, it would be better to deal with the law piecemeal than not at all. On that principle he hoped the House would accept a sound proposition such as the present.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. J. W. Pease.*)

Mr. CROPPER said, he also supported the Bill, on the ground that the principle it embodied met in various ways with the approval of the public feeling of the country. Under the existing law it was too frequently the case that a man was punished for the result, and not for the intent, of his crime. For instance, the man whose blow fell upon a delicate person, or one who was not soon relieved by medical aid, committed murder, and was liable to capital punishment; while the man whose blow, though equally intended to take life, fell upon a strong man, or one who had the advantage of prompt surgical assistance, only committed an aggravated assault, and escaped with a light punishment. In dealing with the subject, as proposed by the Bill, by dividing the crime into two distinct classes, the law would deal with the crime, and not merely with the results of the crime. If the Bill were to pass, it would have the effect of reducing the number of applications to the Home Secretary for reprieves, and it would also remove the present confused idea of justice prevalent through the manner in which the Prerogative of Mercy was exercised.

Mr. WARTON said, that, while adhering to the opinion that the punishment of death for deliberate murder was enjoined by God himself, at the time when the human race was reduced to eight persons by the Flood, he was nevertheless disposed to support this Bill. He felt to a certain extent with the hon. Gentleman the Mover of the measure (Mr. J. W. Pease) that the difficulty in this matter had arisen in consequence of the course followed by the Judges in a long series of decisions. It seemed to him a curious thing that they were always told by the Judges, when a homicide had been committed, that the presumption was that it was a murder. That conflicted with the general principle of our law, that a man was presumed to be innocent until he had been proved to be guilty. An important point to be considered now, however, was whether the question whether a murder belonged to the first or the second degree should be left to the Judges or to the jury. He (Mr. Warton) believed firmly in the average good sense of the jury, although the disposition of some of our eminent lawyers, and even of our Judges, was to deprive juries of their rights. He thought that discredit had fallen upon juries in some degree because they were often composed in towns of small tradesmen, who, in cases where sums of money were sought to be recovered for goods which had been ordered, were apt to give verdicts in favour of their trade interests; but no such prejudice was found to affect their verdicts in trials for murder and other crimes, and he had no hesitation in saying that he thought that juries would better determine the question whether a murder was in the first or in the second degree than the Judges. One of our ablest Judges once had a poor man tried before him on a charge of murder. The man pleaded "Guilty;" he was not advised to plead "Not guilty;" he was sentenced to death and hanged; and yet it was afterwards found that the case was one of manslaughter only. At present, even if the jury recommended a prisoner to mercy, and the Judge intended to support that recommendation, the Judge was obliged to go through the farce of pronouncing the terrible sentence of death, although it was not likely to be executed. In conclusion, he thought the proposed change would give more certainty, and therefore more efficiency, to punishments, and would cause the administration of criminal justice to be more respected, because it would be felt to be more fair.

Mr. MELLOR said, he was glad to find that there seemed to be such a general desire that this subject should be dealt with during the present Session. In the absence of a Criminal Code, or the power of the House to consider a Criminal Code, it was desirable that this matter, which pressed upon the whole country, should be speedily settled. The change proposed was one that had been long considered, and was, he thought, a most desirable one. The frequent reprieves by the Secretary of State, after the extreme sentence had been passed, under the present system, had a tendency to make the sentence of death far too slight a consideration in the minds of criminals, and to make such an amount of uncertainty that that awful sentence was prevented from bringing home to the criminal's mind the full terror of the law. He should be sorry to see the question whether a prisoner was to be convicted of murder in the first or in the second degree left to the Judge. If they were to have a jury at all, he thought that was a matter essentially within its province. In his opinion, the best method of dealing with the question was to improve the juries. Some time ago Lord Chief Justice Coleridge restored the practice with regard to juries to its original position. His Lordship said, and said rightly, that there ought to be no distinction in a Criminal Court between special and common juries; and at his suggestion the panels were mixed. This system had answered exceedingly well. It would be unfair to throw upon a Judge the responsibility of deciding whether sentence of death should be passed or not; but the chances of a correct verdict being returned by the jury would be much increased if the Judge were allowed to direct them as to the distinction between murder in the first and murder in the second degree. It seemed to him, therefore, that the Bill proposed a most salutary change. One effect of it would be to abolish the crime of "constructive murder," for which the punishment of death, in many cases, was obviously wrong. It seemed to him to be a scandal that constructive murder should be in the same category as murder committed after long consideration, or for gain, or malicious motives. Constructive murder was often committed on a sudden impulse, and was a matter which, it seemed to him, should be left to the ordinary sentence of the law. If they were to have trial by jury, he thought they must leave to the jury such a question as the degree of homicide. No doubt, juries might continue to give the Judges trouble; but that drawback was, to some extent, inseparable from the jury system. If the jury went wrong, it was through a misapprehension on their part; and what they must do was to improve, as far as possible, the composition of juries.

SIR GEORGE CAMPBELL said, that he entirely agreed with the arguments by which the Bill was supported; but, speaking as an Indian official who had had, perhaps, more experience in regard to questions of life and death than any other Member of the House, he thought there was universal concurrence of opinion that nothing could be more objectionable than the present system, under which the Home Secretary could decide on cases of capital punishment out of Court after the verdict and sentence had been passed. At the same time, he thought it right to warn the House that he believed there was extreme difficulty in making such a definition of murder as would justify them in putting the case entirely in the hands of the jury to decide whether a criminal was to suffer the penalty of death or not. With regard to the construction of the Indian Penal Code, they had the advice of the most eminent lawyers; and he felt bound to say that the attempt which was made in that Code to draw a distinction between murder and homicide of a lesser degree with extremely scientific accuracy had not been successful. He had sat as a Judge, and he felt bound to say, after many years' experience of that Code, that the law was not settled yet. They had not been able to arrive at a complete understanding, free from doubt, as to that very refined distinction between what was here called murder of the first and second degree. In India, the practice had been to throw on the Judges the onus of deciding what should be done in particular cases. He was aware that in England such a system would not be very palatable to the Judges; and he was told that the Irish Judges had protested, in advance, against any system of trial in which the responsibility should be thrown on the Judges, and not on the jury. Whether the definition proposed in the Bill was a workable one or not he could not take upon himself to decide; but if legal experts accepted it he would do the same. He did not think a single Judge should have the responsibility; but perhaps some arrangement might be made by which, as in India, after the verdict of a jury of a Judge, a Bench of Judges should decide whether the punishment should be death or penal servitude. That responsibility ought not to be placed on the Home Secretary, who was appointed to discharge other than judicial functions.

MR. HOPWOOD: Sir, I have great pleasure in supporting this Bill, because it affords a practical mode of protesting against the present state of things, and it draws with it many consequent advantages obvious to those who are in favour of any sort of amelioration of the present condition of the law. I hardly know whether, to-day, it is useful to discuss how far a measure of this kind may or may not relieve the Secretary of State in the discharge of his duties. No doubt, that is an advantage which may commend itself to many of us; and although it may not further a practical deliberation upon the terms of the Bill, it may induce many who may not otherwise interest themselves in it to support the Bill. I venture to support the Bill, because it amounts very nearly to what the law is now, if, as I conceive, it be rightly administered. I believe that the province of juries has been very much encroached upon. It is constantly encroached upon by Judges who take a strong view of their prerogative and their duty, and who act in a manner very much opposed to the action of others on the Judicial Bench, who take an entirely opposite view. The view taken by the former is that the Judge has a right to judge both the fact and the law together, and they tell the jury, with authoritative voice, that they are bound to convict of murder or nothing. Now, that, I submit, with all respect to their higher authority, is wrong, in point of law. They usurp the ancient prerogative of the jury; and that prerogative, which has existed from remote times down to our own day, is undoubted. They have the right to ask from the Judge a full exposition of the law as applied to the fact. The Judge may, no doubt, usefully give some indication of his own opinion, as a guidance to them; but he is not entitled to give it in a tone of authority, as a decision which is to combine both law and fact. His only duty is to expound to the jury what is the law as it exists. If he does that, he is acting within the scope of his authority; but if, in doing so, he assumes a right to deal with any of the facts, and then says, "I tell you that in point of law this is a murder," I submit that he is infringing upon the prerogative of the jury, and is exceeding his own. The result has been that what I claim to be the sole prerogative of the jury has been taken away from them, or, at any rate, disturbed. When a man is given in charge to a jury upon an accusation of murder, the jury have a right to say, "We find this man not guilty of murder, but of manslaughter;" and they can be called to account by nobody for the verdict they deem it right to give. They, and they only, have a right to apply their minds to a consideration of the facts; and, although they may differ from the views of the Judge or of anybody else, it is perfectly within their right to find the accused person guilty of manslaughter, however strongly the propriety of a verdict of murder may have been enforced upon them. I remember a case in which a Judge of great eminence, whose practice was strongly opposed to that of other Judges, whose exceptional behaviour has given rise to much of the present difficulty—Mr. Justice Wightman—was trying a case of "constructive murder," as it is called. The individual accused had imparted disease to a child, and it was alleged that the act thus committed had been the cause of the child's death. The learned Judge laid it down as a case of constructive murder, and he was clearly correct in law in so doing. But the jury were unwilling to convict. No doubt, they entertained considerable doubt as to the facts, although they pointed to no other conclusion, and, so far as the evidence went, proved that the act had been perpetrated, and that death was the direct result of that wicked act. But the jury, after repeated consultations, came back to the Judge, and inquired if they could find a verdict less than that of murder. The Judge again told them that in the eye of the law, assuming the facts alleged to be proved, it was a case of constructive murder, and that constructive murder was, in fact, murder itself. He added—

> "But you are yourselves the masters of your own verdict. You have a right to give another verdict—namely, manslaughter, and it is not for me to express approval or disapproval of that verdict in advance."

The jury at once found a verdict of manslaughter, and I quote the case in which we have the authority of a very distinguished Judge for saying that it rests with the jury to do as they please, in regard to the verdict, in every case of murder. And now, let me mention another case, which may be taken to represent the opposite view. It is the case of a man who was arrested illegally abroad, and who, on being brought back to this country by his captor—a detective—on the way back shot the detective. The question for elucidation was whether or not the man was guilty of murder; and the jury were asked to find whether the man shot the detective "with a view to escape from an illegal capture," in which case it was admitted that the act was perfectly justifiable, according to the English law, or whether he did it "from motives of revenge," in which case it would amount to murder. These two questions were put to the jury, the object of the Judge being to reserve for another Court the question whether, if done from revenge, it was murder in point of law. The jury had a right, and I wished they had exercised the right, to say to the learned Judge, "Tell us what the law is, and our verdict will be 'guilty' or 'not guilty,' on our view of the law and the facts; but you have no right to ask us to find a special verdict indicating whether in our view he committed the act with the intention of escaping from an illegal capture, or from motives of revenge. In the one case only, you tell us, it would be murder, and you take the matter out of our hands by requiring us to find specially in the alternative." In the case of revenge, the sentence would be carried out not on the verdict of the jury, but upon that of the Judges, for the one who tried it was doubtful; while if the jury had been informed that that case would be murder, they might have taken a different view of the facts. It seems to me that the effect of this Bill would be to restore the proper practice under the law to what I believe it ought to be, and to place it in a position in which it can be no longer questioned. That being my view, it may be asked why I consider this Bill to be necessary? I say that it is necessary as a protest, on the part of the Legislature, against any alteration in the old system of trial by jury, which enables the 12 men, on whom the sole responsibility has been placed, to say whether the verdict should be one of murder or not. I also support the Bill because I believe that in many cases it will be more in consonance with the feelings of a jury to find a verdict of murder instead of manslaughter, knowing that their verdict will come within the second degree. It affords them the opportunity of saying whether the case brought before them is to come within the category of the acts set forth in the first degree of murder, or in the wider class, which remains outside. Whether such a decision shall in future rest with the jury is a question which, I hope, we are determining today; and we shall certainly intensify the general feeling in favour of that being secured by the approval we give to-day of the Bill of my hon. Friend. For that reason I have much pleasure in supporting, in the sense I have indicated, the Bill before the House.

MR. NEWDEGATE said, he had thought that the hon. Gentleman who had introduced this Bill (Mr. J. W. Pease), for whom he had a sincere respect, should not have proceeded with it under existing circumstances. Knowing the difficulties experienced by independent Members in obtaining a day for the discussion of their measures, he (Mr. Newdegate), nevertheless, had thought that, under the peculiar circumstances, the hon. Member would have deemed it better not to press the consideration of the subject that day. These were not at all ordinary times they were living in; they were times which needed the greatest caution on the part of the House; times when they should do nothing to weaken the authority of the law or the Judges in this country. He hoped there was nothing bloodthirsty in his nature; but he had always considered, that as a subject of Her Majesty, and as a citizen of this country, he held his life on the same conditions as other Englishmen, and if he violated those conditions he should justly forfeit his life under the action of the law. It had been his fate twice to impugn the exercise of the Prerogative of Mercy, exercised under the advice of the Home Secretary, in two instances of murder committed in the constituency which he had the honour to represent. The first of these was a case in which a shopman deliberately shot his employer, and was duly convicted by a jury; and yet that man was treated as an object worthy of the exercise of the Prerogative of Mercy. The other case was that of a collier who shot his wife; and again the Prerogative of Mercy was exercised. But so strong was the public feeling on that occasion, that the present Lord Aberdare, who was Home Secretary on that occasion, was literally obliged to provide for the emigration of that man, because he dared not let him go back to the neighbourhood in North Warwickshire, where he had committed the crime of which he was convicted. What, then, he (Mr. Newdegate) thought was needed was more security of the Prerogative of Mercy not being abused. He felt as strongly as did the hon. and learned Member who spoke last (Mr. Hopwood), that they ought not unduly to interfere with the duties, and therefore the sense of responsibility, of juries. But hon. Members at the present time knew that the Common Law was not operative in one part of Her Majesty's Dominions. The whole House knew that they had not provided an adequate substitute to meet that exigency. He did not believe that it was by the mere classification of the degrees of criminality in murder that they would accomplish insuring respect for the law and the safety of Her Majesty's subjects. He said openly, and he said earnestly, that he thought the administration of the law had become too lenient in such matters. Dr. Willis, the first of those who had introduced the more humane treatment of madmen, who founded the really humane treatment of lunatics, was a Lincolnshire man, and a friend of his (Mr. Newdegate's) family. He was a clergyman of the Church of England, and in consequence of his eminence in the treatment of lunacy, in order not to offend, he graduated as a physician, and had charge of King George the Third during the lamentable illness of that Monarch. He (Mr. Newdegate) knew that the private opinion of Dr. Willis was that if they did not hang madmen for murder, madmen would commit murder. Such was the opinion of the author of the more humane treatment of lunatics, which, thank God! now prevailed throughout the United Kingdom. He (Mr. Newdegate) had risen, however, for one purpose—and it was to say that he deemed the consideration of this subject under existing circumstances, to which he would not further allude, manifestly and dangerously inopportune. He hoped the House would get rid of this subject as quickly as possible.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he thought that the hon. Member for South Durham (Mr. J. W. Pease) had done good service by bringing the question before the House, although he (the Attorney General) did not approve of the Bill. He could not agree with the hon. Member for North Warwickshire (Mr. Newdegate) that there were any circumstances of a political character which rendered the discussion inopportune at the present moment. However sorrowful the circumstances under which they were met, he did not believe the decision on the Bill would in any way be affected by such circumstances. He did not know whether his hon. Friend's intention was the partial abolition of capital punishment. If it was, he did not think it would attain the end in view. The number of capital sentences carried into effect had largely diminished of late years, and in 1880, out of 28 condemned persons only 13 were executed. The remaining 15 were dealt with by the Home Secretary. If the jury were to decide whether a crime was murder in the first or second degree, it was quite certain that in cases of murder in the first degree the Prerogative of Mercy would be but seldom exercised. But he would not deal with the question in that connection, but with reference to its primary intention. The Bill was really an attempt to carry out the recommendations of the Commission which sat on the subject in 1866—it being literally a verbatim copy of those recommendations. Now, that Commission, although it included many eminent men, had not in it a strong judicial element. That element was represented solely by the late Mr. Justice Coleridge and the present Lord O'Hagan. Those recommendations were entitled to great weight; but great difficulties would present themselves if it was attempted to give them practical effect. The fact was, that the moment one tried to draw the minute distinctions rendered necessary by the division of murder into two classes, and directly they accepted intention as regulating the crime, and not the mere act and its result, great difficulties arose. Moreover, it must be remembered that in dealing with the subject they had a most important requirement to consider—the safety of the public. As to the difficulties to which he had referred—in the first place, the Bill did not deal at all with constructive murder, but left the law as it was. If three men went poaching, and, being governed by a common object, one of them shot a keeper, all three were guilty of murder. Another case was, that under the Bill a man might still be judged not according to the intent, but the effect of his act. A man desiring to escape might unintentionally kill his keeper, having intended to use only enough force to get away from custody; or—to take an instance of recent actual occurrence—a man might set fire to his house, only intending to defraud an insurance company, and although actually anxious to save his children, yet if the children in the house were burnt to death, the man would still be guilty of murder. Another objection to the Bill was that it did not deal with the question of manslaughter, or its Common Law definition, at all. The consequence was that a Judge would in many cases have to discriminate between murder in the first and seconddegrees, as defined in the Bill, and the old Common Law crime of manslaughter; and although there was little difference between murder in the second degree and the old crime of manslaughter, the result would be to confuse the minds of jurors. If the measure passed, homicide would henceforth have either to be ranked as manslaughter, which was not murder, or to be adjudged as murder from premeditated malice, or murder without premeditation, while at the same time something different from manslaughter as defined by the Common Law. In fact, they were met by a host of legal difficulties. He none the less, however, admitted that the old, merciful, and just rule of having to find malice aforethought before the crime of murder could be made out had been lost sight of latterly, and that something ought to be done to make it again observed. There were two words, a definition of which he must ask for. The Bill said that for a person to be convicted of murder in the first degree, the act must be done "deliberately" and with "express malice." But what was the definition to be given to the word "deliberately?" Deliberation was relative to the circumstances of the case. While some crimes required a long period of deliberation, others required but a very short one. The effect of the Bill would certainly be to take away from the jury and give to the Judge the right the jury now had of applying the quality of deliberation to the act, or not doing so, according to the circumstances of the case. Against any legislation in that direction he ventured to protest, for the result would be diametrically opposite to the view taken by the constitution of the relative positions of the Judge and jury. But there was a more difficult word in the Bill. What was the meaning of "express" malice? If it referred to the intention in the man's mind, that must be dealt with by differently expressed legislation; whereas if by the word was meant malice aforethought of an act as distinguished from the consequences, the word was needless and meant nothing. Again, it was said that the Bill was not to extend to cases of escape from lawful custody, or in order to avoid arrest after a committal of a robbery. But he did not think that the Bill as it stood would effect the object intended. The really important consideration was—what was the practical result of the Bill? It would give juries the right to apportion sentences as distinguished from finding a crime. That was similar to the French law at the present time, and he thought it was a condition of things which was not at all desirable. The jury would say, in effect, that in a certain case a man ought to be hung, and that in another case he ought not to be hung. After such an expression of opinion by a jury the Home Secretary would have some difficulty in interfering with the Royal Prerogative; and he (the Attorney General) feared that the decision of the jury in determining whether a murder was of the first or second degree would be more frequently influenced by sentiment or sympathy than by sterner considerations. He thought his hon. Friend must gather from his remarks that the Bill could not be accepted in its present form, and that it could not be sufficiently altered in Committee to be of any real service. At the same time, if the House wished it, he had no objection to the Bill being read a second time on the understanding that, the principle having been affirmed, the measure should not be proceeded with further. But he hoped his hon. Friend would not infer from that that he acquiesced in its terms. In the absence of his right hon. and learned Friend the Home Secretary, he might say that the subject was one which had been called to the notice of his right hon. and learned Friend, who had had it under consideration, and had, along with others, been endeavouring to deal with it. Therefore, he could not give any express promise as to the course of the Government regarding the questions raised by the Bill; but he felt sure that the discussion then taking place must have the effect of assisting those Gentlemen in their deliberations.

Sir R. ASSHETON CROSS said, he felt that if the Bill had been one for the abolition of capital punishment, many of the observations of the hon. Member for North Warwickshire (Mr. Newdegate) would apply; but it distinctly dealt with a definition of crime. He was glad to hear that the hon. Member who introduced the measure (Mr. J. W. Pease), and those who had so conscientiously acted with him in an endeavour to do away with capital punishment, had admitted that the state of public opinion was such that it would be impossible at the present moment to pass a measure for that purpose. He thanked the hon. Gentleman for that candid admission. He agreed with much that had fallen from the hon. and learned Gentleman opposite (the Attorney General), and he would not weaken the force of his observations by any word of his own. As to the technical and practical difficulties which surrounded any attempt at defining murder of the first and second degree, he thought that many of the arguments of the hon. and learned Gentleman were completely unanswerable. He would add that, in case this Bill became law, responsibilities would be incurred which might have a mischievous effect. It had been said that in a great number of cases in which people were found guilty the law was not carried into effect; and the hon. and learned Gentleman had stated that out of 28 cases of murder in one year, the number of capital sentences carried out was only

13. There could be no doubt that the law was much more merciful in this respect than it used to be; and although it might be an unsatisfactory state of things, yet in the present state of the law there were a great number of cases where persons must be found guilty, even under this Bill, but where it would be impossible that they should be executed. There could be no doubt that the vast number of persons found guilty of infanticide made up the majority of those who were found guilty of murder, and no one could have the smallest doubt that the Bill would not deal in the least with these cases. There was considerable doubt in regard to murder committed by persons under the influence of drink, and he thought they would get into very great difficulties with the words "deliberate and express malice;" and nothing could be more fatal to the interests of the public than that it should be known that men could not be executed for murder when committed under the influence of drink. He also thought it would be very unwise to leave the responsibility of the sentence upon the jury. That was not the function of the jury. The jury had to find a case, and all the rest was left to the discretion of the Judge. As regarded the Prerogative of Mercy, it was impossible that that could be done away with. If the law were altered, they must use the Prerogative of Mercy at last. At the same time, he should be glad to see a better definition of murder, because he thought it had a bad effect to find that so many persons were convicted of murder, when so many were immediately let off by the Secretary of State. The public did not understand by what rules the Secretary of State was guided; but he was guided in the vast number of such cases by rules which, by long precedent, had influenced him just in the same manner as a Judge was bound. He thanked the hon. Gentleman for having brought the Bill forward, and he should not oppose the second reading. He hoped that the hon. Gentleman would take the second reading as an admission by the House that the subject was one which ought to be dealt with. At the same time he was, however, bound to say that it could not be dealt with except by persons in a position of authority; and he did not think it ought to be dealt with by that House, unless it was understood that when they came to the final discussions the proposed legislation would be undertaken by the Ministers of the Crown. The matter was so serious that they would not be acting safely unless they were told by the responsible Officers of the Crown and by their Law Officers that the matter had been carefully considered by them, and that they were satisfied the Bill could be passed.

Mr. J. W. PEASE said, that he was perfectly satisfied with the discussion that had taken place; and if the Bill were allowed to be read a second time, he would put down the Committee for the 5th of July, so as to give ample time for consultation with the Government on the subject before proceeding further with it.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Wednesday* 5th July.

LICENSING LAWS (SCOTLAND) BILL.

(*Lord Colin Campbell, Dr. Cameron, Mr. Anderson, Mr. Crum, Mr. Bolton, Mr. Mackintosh, Mr. J. Hamilton, Mr. Stewart, Mr. Williamson.*)

[BILL 86.] SECOND READING.

Order for Second Reading read.

Lord COLIN CAMPBELL, in rising to move that the Bill be now read a second time, said, that it dealt with a subject of great interest to every Scotch Member—an interest which, perhaps, might not always be of a spontaneous kind, and which, in relation to the agitation which was carried on by his hon. Friend the Member for Carlisle (Sir Wilfrid Lawson), he thought he might say was very often of a compulsory kind. In taking that step he was certain he need offer no apology to the House, for he thought there was a general disposition, at least on that side of the House, to regard the question as one which must very soon engage the practical attention of Parliament; while he thought it was not less true that some disposition had been evinced both in the House, and certainly out-of-doors, to show that nothing but the most urgent political necessities had justified, or would continue to justify, its indefinite postponement. He was one of those who had regretted the inaction of the Government on this question. He regretted that the Government had not found themselves able to introduce a measure which should give effect to the clearly-expressed opinions of the House as declared in 1880 and last year. But he thought it was impossible now—looking at the state of public affairs, and at the general programme of the Government, and the particular programme which they now had in view owing to recent deplorable events—it was impossible to conceive that they could have the time or opportunity to introduce a measure dealing with the question, and, therefore, he thought he should not be challenged when he said that if that question was to advance—if any progress was to be made—it must be made, until the Government had time to take it up, by the efforts of private Members. He thought he might point, as an evidence of the recognized utility of discussion, to a speech by the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright) last year, in which the right hon. Gentleman expressly recognized the value of discussion upon the question; and, therefore, he (Lord Colin Campbell) thought he should not be blamed if he ventured to send up what he might call a pilot balloon, to demonstrate those peculiar currents of opinion which had been sent up by the hon. Baronet (Sir Wilfrid Lawson), and which had already—he spoke of the temperance feeling of Scotland—threatened to make shipwreck of this Bill, and had made him feel profoundly thankful his own existence was not involved in it. There would, he thought, be one question which hon. Members would be inclined to ask at the outset, and that was, why should Scotland have exceptional and isolated legislation? He was inclined to answer that question simply by suggesting the insertion of the one word "not" in the question, and then ask, why should not Scotland have exceptional legislation? He held in his hand an extract from a speech made by the Prime Minister in 1881 on the point, and in that he said—

> "It appears to me that this is eminently a question on which the feeling of one of the great sections of the country may be well ascertained; and when tested by an experience of some length of time, when placed entirely beyond doubt by sufficient evidence, it ought to command the greatest attention, and, I would even say, a willing assent in this House."—[3 *Hansard*, cclx. 1771.]

He was sure the Scottish Members could testify to the strength of the feelings throughout the country, and to the fact that the feeling in Scotland in favour of reform had been a very strong one. From his own recollection, he had no hesitation in saying that it was very urgently desired in Scotland that there should be some legislation upon this question, and he would point to the authority of the Predecessor of the present Lord Advocate. In December, 1880, the right hon. and learned Gentleman said he would make it his duty to inform the Government that a general desire existed in the Northern part of the Island for an improvement of the licensing system. If he were asked for further proof, he would cite the vote of Scottish Members during the last two years. On the first occasion when the hon. Baronet moved an Amendment, the Vote was in the proportion of 8 to 1 in favour of his proposal; and on the second occasion, the proportion was still further increased in the same direction. Lastly, he wished to point to one great fact—one great precedent it might be called—namely, the fact that Scotland for more than a quarter of a century had led the way in the matter of Sunday prohibition. He could assure the House that, but for some departures in the provisions of the Bill from that which was associated with the name of the hon. Baronet the Member for Carlisle, he (Lord Colin Campbell) might have been able to point to the most conclusive evidence in support of the Bill, in the form of a great number of Scotch Petitions in favour of it. In referring to the departures in his Bill from that known as the Permissive Bill, he did not think that by introducing a measure which in any degree resembled the Permissive Bill he should have done anything to advance the question in the slightest degree. The Bill which was known as the Permissive Bill was nine times before the House; it was, he believed, considered by three separate Parliaments; and he thought he should not be going far wrong if he said that if the lines of that measure had not been abandoned, they had at least been despaired of, by the hon. Baronet the Member for Carlisle. [Sir WILFRID LAWSON: No, no!] The hon. Baronet said "No!" but he (Lord Colin Campbell) should like to ask him why he did not introduce a Bill clearly defining what he meant by that ambiguous phrase, "Local Option?" He (Lord Colin Campbell) had ventured to give his definition of the phrase; but he would like to explain, first of all, that he had another reason for not introducing a measure which might have reminded hon. Members, by its resemblance, of the Permissive Bill. That reason simply was that he was not himself a believer in the justice or in the expediency of the Permissive Bill—in the first place, because it proposed to subject the rights of individuals, and of minorities, to the arbitrary decision of majorities; and, in the second place, because it proposed to sweep away a trade which, whatever might be said of its effects upon the happiness or prosperity of the people, had enormous and most extensive vested rights. There were two points in his Bill which distinguished it from the Permissive Bill of the hon. Baronet, and which had aroused some opposition. First, it endeavoured to protect the rights of minorities; and, next, it gave the trade compensation for the changes which might result from the exercise of the popular vote. He did not think it was necessary to cite special and particular authority in support of those two proposals; but if he might venture to say so, in the presence of the hon. Baronet, they seem to him to be at the foundation of the principles of social liberty and political justice. But, if authority were needed, he found it would not be necessary to go a very long way in search of it. Mr. J. S. Mill, speaking on liberty, said, with regard to the authoritative intervention of Parliament—

> "There is a part of the life of every person who has come to years of discretion within which the individuality of that person ought to reign uncontrolled either by any other individual or by the public collectively. That there is, or ought to be, some space in the human existence thus entrenched round, no one who professes the smallest regard for human freedom or dignity will call in question. I apprehend that it ought to include all that concerns only the life, whether inward or outward, of the individual, and does not affect the interests of others, or affects them only through the moral influence of example."

Those, he submitted, were weighty words, and they embodied principles which might be accepted by even the most zealous temperance advocate; and he could not help thinking they would do violence to those principles if they allowed majorities to deprive minorities —not, indeed, of personal or private rights in the abstract, because that might be legally, if not morally, impossible, but of what came to very nearly the same thing—to deprive minorities of the reasonable means of exercising those private and personal rights which they had hitherto exercised with the sanction of the Legislature. The 20th clause of the Bill certainly aimed at protecting minorities by giving them what he might call a veto upon a veto—that was to say, that wherever, by the operation of the machinery of the Bill, the popular vote resulted provisionally in total prohibition, the minority should have power to put in their veto in the form of a requisition, which should require the licensing authority to grant one licence to the proportion of 200 or 300 ratepayers who had signed that requisition. That proposal had been met in Scotland by those who had made themselves prominent in the agitation with almost unqualified condemnation; but he (Lord Colin Campbell) sincerely trusted the hon. Baronet would not consider it necessary to lend his powerful voice to swell the chorus of disapprobation which that proposal had aroused; otherwise he should feel even more completely than he had done what a rash thing he had done in taking the hon. Baronet's advice in introducing a Bill dealing with the Licensing Question in Scotland. He had heard, however, the hon. Baronet say, both in his public utterances and in his whispers in the Lobby, that he never had opposed, and he never would oppose, anything which went in the direction of mitigating the evils which he deplored; and he took hope from that fact. With regard to the principle of compensation, he must confess that he could not entertain the slightest doubt as to the justice or expediency of it; but he thought there was no one who had given this question even a very small degree of attention who could fail to be perplexed somewhat with the great difficulty and complexity of it. On this head there were two questions arising under the Bill—first, as to the basis upon which compensation should be given; and, secondly, as to the source from whence the money was to be derived. As to the basis of compensation, he thought it would be only necessary to say that the proposals in the Bill were based on the system of awards which were given in the town of

Greenock, when that town adopted the provisions of the Artizans' and Labourers' Dwellings Improvement Act. They were awards which resulted from disputes on questions of compensation, and the Bill entirely followed those awards. He would not enter into the question of whether the basis of compensation, as defined in the Bill, could equitably be the basis for the entire country. If the Bill came to Committee —of which he was not very hopeful— that was a matter for discussion, and for amendment in Committee. As to the source from which the money should be derived, he thought that if they admitted the justice of the principle of compensation, and if that, in respect of which compensation was demanded and given, was purely a local act of the ratepayers, then the conclusion seemed to be indisputable that the locality should bear the cost. As a set-off to the expense which would be entailed by this proposal, it was proposed to put up the licences to auction, and if the sums thus realized should not be sufficient, then the local authorities would be empowered to make an assessment to supply the deficiency. As might have been expected, these proposals, affecting, as they did to a considerable extent, the pockets of his countrymen, had been met with most rigorous opposition; and nothing but the conviction that only by recognizing the principle of compensation, and by acting upon it, would they ever be able to attain the object which so many of them had at heart, had induced them to persevere with these clauses which had met with such a degree of hostility. He should like to anticipate the criticism which the hon. Baronet opposite (Sir Herbert Maxwell) would not be slow to make. There was a proposal in the Bill that licences should be reduced to the proportion of one for every 500 of the population. This proposal was apparently inconsistent with the principle which he had just ventured to lay down, that the cost of reducing the number of licences being the local act of the ratepayers, should be carried out at their cost; but he should like to distinguish between the general operation of the Bill and its local or particular operation. Before, however, arguing further on that point, he should like to say, by the way, that the epithet "arbitrary," which had been applied out-of-doors, and he had no doubt would be heard in the House as applied to this proposal, seemed to him to have no logical significance whatever. The opponents of any system of reform of our licensing system were always ready to urge two objections. One was that the proposals were purely arbitrary, and the other that they were unworkable. As to the argument about the arbitrary character of the proposals, he would like to make the admission that that certainly could not be said to give Local Option which imposed any restriction whatever on the number that the ratepayers were entitled to vote. He was as willing to make that admission as he was anxious to assert that there could be no real Local Option without a representation of minorities. But what was it which lay at the basis of a demand for reform? The principle of the existing law and the whole argument in favour of reform might be summed up in one phrase—the necessity for regulation. It was the recognized necessity of regulating the trade which was at the bottom of the existing law; and it was the desire of regulation, passing into the desire of repression, which lay at the basis of the temperance agitation throughout the country. Therefore it would be, he thought, wholly illogical and absurd to ask Parliament to change the existing licence system, and at the same time assert that the principle of Local Option must be carried out in its entirety. It was obvious that that might result in some cases, though it might be in very few cases, in the very opposite of reform. He had received a paper from the Wine, Spirit, and Beer Trade Association of Scotland, which seemed to him to furnish the most incontestable proof that if the term "arbitrary" could be applied to any system it should be applied to the existing system. He would quote a few figures, with the permission of the House, to show the arbitrary character of the existing system. He would take towns and Parliamentary burghs which had about the same population. He found, for instance, that in the town of Peterhead, with a population of over 10,000, and less than 11,000, the proportion of licences was 1 to every 192 of the population. In Dysart, with about the same population, the proportion was 1 to 453; while in Port Glasgow it was 1 to 225. In four towns, with a population of over 2,000, and less than 3,000, they were—Kilrenny, 1 to 276; Cullen, 1 to 284; Kirkcudbright, 1 to 214; and Pittenweem, 1 to 115. In Forfar, with a population of 12,000, the proportion was 1 to 237; and Galashiels, with about the same population, it was 1 in 336. In Hawick, with a population of 16,000, the proportion was 1 to 359; and in Stirling, with the same population, 1 to 168. He thought these figures showed that, if the term "arbitrary" could be applied to any system at all, it could with justice be applied to the existing one. It seemed to him to work much after the manner in which the judicial clauses of a certain Act were said to work. No rules had been laid down for the guidance of the judicial mind; and, consequently, one magistrate acted upon the supposition that the proper proportion should be one licence for every 75 of the population, while another magistrate thought and acted on the opinion that it should be 1 to 300. It was admitted, even by those who had compiled the paper to which he had referred, that the magistrates all over the country were endeavouring, as far as possible, to reduce the number of licences. But what was that but an admission that the licensing system had worked badly in the past; and they had now to ask themselves this question—Had the magistrates power to reduce the licences in the proportion which was desired by the people; or, if they had the power, were they willing to use it? He thought that the present agitation had had the effect of making the magistrates act in this matter upon an entirely new principle; and that whereas formerly they seemed to think that they were at liberty almost to establish free trade, and to grant any amount of licences, they were now brought to see that licences should be granted in strict accordance with the requirements of the people. But though that had been the case, he should like to point out that one of the consequences of this excessive liberality towards the trade had been that a vast amount of property had grown up, and a vast amount of capital had been sunk in the trade; and he would appeal to hon. Members, whether they had not constantly seen reports of deputations which had gone to magistrates and asked them to reduce the licences, and whether the almost invariable reply of the magistrates had not been that they would reduce the number as much as it was in their power, but that they could not confiscate lawfully-acquired property? He would now go back to a point from which he had made a long digression. He had alluded to the provision in the Bill which proposed that, instead of the arbitrary system which now obtained throughout the country, there should be one line drawn by the Legislature—namely, the line of proportion of one licence to every 500 of the population. That proposal was, to a certain extent, inconsistent with other proposals in the Bill relating to compensation; but he should like to point out that the proposals in the Bill on the subject of compensation were entirely consequential upon the recognition of the principle that the locality should bear the cost of the diminution. If they were inclined to grant compensation on a more liberal basis, then the question would arise, were the ratepayers justly liable, not for the diminution, which was not the consequence of their own act, but of the act of the Legislature alone? He thought if that was the difficulty, the solution ought certainly not to be as he heard that some people out-of-doors were inclined to think—namely, in the direction of denying the principle of compensation. He must say he regretted the attitude of some of the temperance associations in Scotland. They seemed to him to fail in recognizing what he believed to be an undoubted fact—that if Parliament was to take up this question, and if licences were to be reduced throughout the country, then the people of Scotland must to a very considerable extent bear the cost and burden of the change. He hoped the people would not take the course of saying that the trade in which the publicans engaged was a trade which was abhorrent to the sound morality of the country. He would like the House to consider whether it was altogether a vain illusion on his part which made him think that if this question of compensation presented such enormous difficulties, Parliament might not be induced, in accordance with the expression of the popular will, to take a course competent to it, and comparable to that which Parliament took when it decided to abolish the institution of Slavery. He hoped the comparison might not be thought invidious. He did not wish to draw a comparison between the present matter and the matter which was then discussed. He wished only to point to what was the action of Parliament. Parliament did not say to those who were engaged in the Slave Trade—"You have no claim to compensation; you are engaged in a trade which is repugnant to the well-being of the country. You should rather disgorge your ill-gotten gains." Parliament said, on the contrary—"It is true that this trade is contrary to the spirit of British law, that it is a principle which is repugnant to every principle of justice and philanthropy; but it is an institution which has flourished under the sanction of the Legislature, and therefore we say that when we change the law and put your property on a new basis we will recognize emphatically your claims for compensation." The case was a peculiarly strong one, because Parliament did not act upon the certain knowledge that of course those who employed slaves would suffer loss. That compensation was given merely upon the allegation that the law might result in loss; and it seemed to him *a fortiori* indisputable, that whether they were discussing the abolition, or rather, he should say, the more stringent regulation, of the trade, it was a matter of certainty that loss would ensue, and justice demanded that Parliament should compensate the trade on account of certain claims put forward by them. He should like now very briefly to refer to another matter which had been the subject of dispute out-of-doors. The Bill proposed to institute what he might call the 10 years' system. He could not help thinking that this proposal had been misapprehended, and its effects exaggerated. It was said that licences were only now given for one year, and that if they gave them for a longer period they established a vested right. That was, no doubt, true to a certain extent; but he should like to point out that a misconception had arisen from the non-recognition of the fact that the Bill made no change whatever in what he might call the fiscal arrangements which now obtained, and which obliged a publican to take out a licence every year. The proposal was that the certificate only should be put up to auction, and that the licencee should be required to take out the annual licence. As to the reasons which had induced him to make this proposal, it was entirely consequential upon the proposal to have a limit of one licence to 500 of the population—a limit which, owing to the period the Census was taken, could only be authoritatively determined once in 10 years. Another reason was that it would be unwise, and in every way undesirable, that the country should be subjected to the inconvenience and turmoil of frequent elections such as those proposed in the Bill; and, lastly, the certificate which it was proposed to put up to auction, being capable of lasting for a period of 10 years, would have a saleable value of a considerable extent. That was a proposal the value and the necessity of which he thought would be obvious when the proposal as regarded compensation was taken into consideration. As to the allegation that a vested right would be created, he would like to point out that, under the existing system, the licencee had a far greater claim to be considered in possession of a vested right, because he need hardly point out to hon. Members who knew the method in which licences were annually renewed, that it was the fact that if a publican conformed strictly to the conditions of his certificate, he was absolutely certain of having his certificate renewed annually until it resulted in his getting the licence for a considerable number of years—something like 15, or even for 20 years. Now, he thought it was unnecessary for him to speak at greater length upon the provisions of the Bill. He merely wished to say, in conclusion, that he did not believe it was possible to effect a sudden and violent revolution in our existing licensing system. He believed the wrench would be too great and too widely felt to make that possible or desirable. He believed it was necessary for Parliament to provide for a transitional state of things; and it was because he believed that the provisions of the Bill, however crude and faulty it might be said to be—[Mr. WARTON: Hear, hear!]—the hon. and learned Member for Bridport thought it was—well he hoped the hon. and learned Member would devote his energies to introducing a better one—he said that however faulty his proposals might be deemed, still he ventured to think that they might afford some indication of the change in the law which Parliament might be willing to sanction, and he, therefore, ventured to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Lord Colin Campbell.*)

Sir HERBERT MAXWELL, in rising to move that the Bill be read a second time that day six months, said, he thought that if the hopes of the temperance reformers of Scotland depended for a stimulant upon the speech to which the House had just listened, those hopes must be at a very low ebb indeed, because the whole of that speech was characterized by a tone of the most lugubrious despondency. The noble Lord the Member for Argyll (Lord Colin Campbell) had catalogued with considerable precision and accuracy most, or at all events many, of the objections which he (Sir Herbert Maxwell), in common with a great many others, felt in regard to the measure. The noble Lord had altogether adopted an apologetic tone, and had, in fact, intreated the House to deal tenderly with the Bill, which he had spoken of as a pilot balloon, lest it would utterly collapse. He (Sir Herbert Maxwell) must congratulate the noble Lord on having approached this subject in a spirit of moderation, which was very often absent from the speeches and utterances of those who were interested in the temperance movement; but, having said so much, he must point to some of the defects of this, in many respects, remarkable Bill. He thought the noble Lord could hardly have realized to himself the revolution which his measure, if carried into law, would effect throughout the length and breadth of Scotland. It would cause a disturbance of the social system in every district; and he agreed with him in thinking it was, indeed, a measure of so sweeping a character, that if it was to be brought forward it ought not to be intrusted to any private Member, but to have been dealt with by no one other than a responsible Minister of the Crown. He thought, indeed, it was possible some such idea as that might have influenced the noble Lord in regard to the preparation of that Bill, because he found he had apparently felt some mistrust in placing his name on the back of it with the usual amount of support, and had taken to himself eight other Members more private than himself. It was not only his (Sir Herbert Maxwell's) experience, but the experience of hon. Members who had sat a much longer time in the House, that they had never seen a Bill with nine names on the back of it. As he had said, he had considerable sympathy with the object of the noble Lord in regard to the Licensing Laws, for he believed them to be capable, in some respects, of amelioration; but this improvement should take place, not with the violent and convulsive interference proposed, but gradually. The principal provisions of the Bill were contained in the 7th, 8th, 9th, 17th, and 21st sections. The 7th section provided for a preliminary confiscation of all licences in excess of one in 500 of the population. He had had no means of obtaining the total number of licences granted in Scotland, but he had the number of licences granted in Parliamentary burghs, and that section would reduce the number at once from 6,810 to 3,252. That gave some idea of the magnitude of the step that was proposed to be taken. He (Sir Herbert Maxwell) had called it confiscation, though he did not desire to use the word in any offensive sense; but he was unable to find any other word which expressed what would take place, because, although compensation was alluded to, it was merely a nominal compensation. He believed that the existing licensing authority was engaged in a work as acknowledged by the noble Lord, which, if time was given, would at no very distant period bring about the results which he had in view. If they took the population of the 79 Parliamentary burghs of Scotland, they found that in 10 years it had increased 175,490, whereas in five years the number of licences had been decreased 237. That showed that the present licensing authorities, the magistrates, had at heart the proper regulation and control of the liquor traffic. He could not go beyond those 10 years; but his right hon. and gallant Friend (Sir John Hay) had just reminded him that in the parish in which he resided, whereas in his youth there were 19 licensed houses, there were now only five. He (Sir Herbert Maxwell) believed that was only a part of what had been going on all over Scotland. It had often struck him as strange that the fact was not realized that the municipal bodies of Scotland had already something approaching to practical Local Option. The ratepayers themselves elected the magistrates, who granted the licences, and therefore the control of the public-houses and the liquor traffic was in their hands. He altogether denied that the magistrates in rural districts were influenced by some of the motives which were at times alleged. They were, no doubt, exposed to considerable solicitations, especially in times of political excitement, and it was possible that in some instances they had yielded to those solicitations against their better judgment; but he believed the magistrates of Scotland had most carefully and, to a certain extent, successfully endeavoured to control and keep within due limits that traffic. If the preliminary confiscation suggested by the vote of total suppression contained in the Bill were to take place, some 20 of the burghs would at once lose all their licensed houses. For instance, Culross, which now had five licences, and New Galloway, which now had three, had each less than 500 inhabitants, and would, therefore, lose all their licences.

LORD COLIN CAMPBELL pointed out to the hon. Member that there was a provision in the Bill that wherever the licensing authority were of opinion that a particular burgh or district was in special need of licences in respect of inns or hotels, they might decide upon the number of such licences, to be voted for in the manner provided by the Bill.

SIR HERBERT MAXWELL said, that that provision had escaped his notice. He would point out, however, that although the resident population in these burghs was under 500, that by no means represented their occasional and periodical requirements. The burgh of New Galloway, which he knew well, was a small but very ancient Royal burgh, situated in a moorland district, and, its ordinary requirements being small, probably one public-house would suffice for those wants; but there were periodical sheep markets there, and large numbers of farmers, shepherds, and drovers came in from the neighbouring moorlands. They certainly required accommodation of some description, and if there was only one licensed house in the town, it would be most inadequate. The noble Lord had spoken of Peterhead, and had given it as an instance of the uncertainty and want of system which characterized the administration of the local licensing authority at present. He had told them that at Peterhead the licensed houses were in the ratio of one to 192 of the population; and in contrast to that he had mentioned Dysart, where the ratio was one to every 453. What principle, he asked, actuated the licensing authorities which caused so great a difference in the proportion of these two towns? Peterhead was a seaport town, and during the herring season, he (Sir Herbert Maxwell) supposed its requirements and its temporary population were enormously in excess of its general requirements and general population. Port Glasgow was also a seaport, and, of course, the population of seaports was liable to fluctuation; whereas inland towns were not. He would remind the noble Lord that temperance, like other virtues, began at home, and he should like to take the case of Inverary, with which the noble Lord was well acquainted. The population of Inverary in 1871 was 902, and in 1881, 863. Last year the number of its licensed houses was eight, and under that Bill the maximum number would be one. He should like to know if the noble Lord had the approval of the ratepayers of Inverary in his proposal to lay upon them at once the burden of compensating seven out of the eight licensed victuallers in that town? Further, by Section 20 of the Bill, if one of the ratepayers of Inverary were to vote for the suppression of the licensed houses, they would be swept out of Inverary. The Bill put that enormous power in the hands of one of the ratepayers, which the House had already refused by rejecting the Permissive Bill which put that power in the hands of two-thirds of the population. He should also like to allude for a few moments to what the noble Lord had said in regard to compensation. He seemed to think that the publicans ought to be grateful that their claims for compensation were recognized at all. He could not imagine anything more illusory and more trifling than the compensation which was offered. If they took the compensation provided for in Section 40, they found that the holder of a licence under tenancy from year to year was to receive one year's net profits, being at the same time deprived of his occupation and of his property. This was called compensation. Then a tenant whose tenancy was within three years of expiring was to receive one and a-half year's net profits, or he was to have the option of continuing in his present occupation and premises for 10 years; in other words, the confiscation—or the disturbance, if the word confiscation was disapproved of—was deferred for 10 years. He could not see the difference between an injustice proposed to be committed now—if it was an injustice—and an injustice proposed to be committed 10 years hence; neither did he see the advantage of allowing a man to continue in occupation for 10 years, if he were to be deprived of his licence at the end of that time. In sub-section C, a tenant, however long his lease might be—he might have entered into a lease for 19 years—was to be deprived of it. He supposed he would have to come upon his landlord for compensation, and that his landlord would be asked to give him the value of the lease; but in the case of a leaseholder under trustees this would be impracticable. There was really no provision for compensation in the Bill. Sub-section D was retrospective, and went back to February 1st of this year. Why did the noble Lord take that retrospective view? Was there any fairness or any justice in going back to leases signed at that time, and before the introduction of this Bill? Then there was another provision which was altogether absent, and in which was involved an important point as regarded the tenant. Who was to take over the stock? There was no provision whatever for the taking over of the stock-in-trade. The utensils and furniture of the house, he believed, were provided for; but there was no provision for compensating the licencee for the liquor which he might have on hand, and which would be perfectly useless to him if his licence were taken from him. Turning to the compensation offered to the landlord, there was even less provision. If he had let his premises to a licensed victualler on a yearly lease, he was to receive as compensation—and really there was something too ludicrous in the use of the word compensation—one year's rent. He would receive that in any case; there was no compensation in it at all. Under sub-section B, if he had granted a lease to his tenant, he was to receive two years' rent. It seemed to him (Sir Herbert Maxwell) to be equally ludicrous to call that compensation; and the cases he had given were only instances of the general inadequacy of the compensation offered. Again, sub-section E of Clause 46 was a most singular instance of vicarious punishment. If any convictions had been obtained against the tenant for a breach of his agreement or licence, the compensation was not to be paid to the landlord. He would like to hear it explained why any breach of a certificate of agreement, or any offence on the part of one man should be visited pecuniarily upon another. Section F of Clause 46 provided that if the licensing authority selected the premises of the landlord for one of the licensed houses under the new system, he should receive no compensation whatever; but it might be remarked that the landlord's property, even though it were selected for one of the new licensed premises, would be very much deteriorated, because it would be the duty of the licensing authority, in the interests of the ratepayers, to get a house at as low a rent as possible. There would, probably, be numerous premises offered to them—barns and all sorts of places—anywhere that would do for drinking purposes—at competition low rents; and they would be obliged, in the interests of the ratepayers, to take the lowest, and so depreciate the landlord's property, for which he would receive no compensation. He (Sir Herbert Maxwell) would like to know why that should be so? Clause 11 contained one of the most unjust and objectionable proposals in the whole Bill. It provided that—

> "No person who is, or is in partnership with, or is proprietor or part proprietor of any premises in which is carried on the business of a brewer, maltster, distiller, or dealer in or retailer of ale, beer, spirits, wine, or other excisable liquors, shall act as a member of the licensing authority; and if he is a member of the Town Council he shall not vote nor take any part in the carrying out of this Act,"

in any way, under penalty. From the noble Lord's point of view he could understand the licensed victuallers being shut out from voting under this Act; but he could not see why a member of the Town Council, who presumably was a responsible person, elected because of his high character and his ability for business, should be deprived of a vote. Neither did he see any objection to the same privilege being granted to the proprietors of premises. It had been a very common practice, especially in the rural districts, for the owners of landed property to take into their own hands licensed premises, in order that they might retain their control over the liquor traffic. He (Sir Herbert Maxwell) had done it himself, and had no doubt that other hon. Members in that House had done the same. They had a perfect right to keep licensed premises in their own hands, in order that they might put in suitable and respectable tenants to carry on the business. These persons—the landlords—would be entirely shut out from participating in the working of this Bill. Then why should the licensing authority be taken entirely out of the hands of municipal corporations? He did not wonder that the Royal Parliamentary burghs in Scotland, in convention assembled, had petitioned against the Bill in the proportion of 44 to 7. This was a direct and a violent interference with that Local Government in favour of which last week they had heard so much from the Treasury Bench. Then he would like to know why the licensing authority should be different in counties from boroughs? In the counties the licensing authority would be elected by the magistrates, while in the boroughs they would be elected by the ratepayers. He conceived the greatest objection to this unnecessary and apparently unlimited multiplication of elective bodies. There were existing corporations, existing Boards, and existing authorities which had to be elected. Why could not these be made use of in the controlling of the liquor traffic? He thought before the Bill could be seriously considered by the House, it should be shown to the satisfaction of everyone that the existing authority had failed; the fact being that the noble Lord had himself admitted that they had advanced so far in the line in which he was proceeding. Perhaps the most dangerous effect in relation to this Bill would be the effect it would have in encouraging illicit traffic in spirits. Anyone who had studied the Report issued by a Select Committee of the House of Lords upon the subject must remember the significance of the figures which were given in regard to what was known as "shebeening" in the large towns of Scotland. It was shown that the very control which was now exercised over the liquor traffic in Scotland had the effect, so far, of encouraging illicit traffic. Parliament closed public-houses at 11, but the "shebeens" were open all night. Of course, this was not an argument against regulation; but it was an argument against altogether suppressing that which they had a right to regulate. Then there was a further evil akin to "shebeening," of which they had not had much experience in Scotland, and that was the evil of spurious clubs or drinking shops. If they suppressed public-houses in every great town in Scotland there would still be drinking shops that would be conducted in this way. There would probably be a list of rules copied from those of the Reform or the Carlton Clubs, or from any other club, printed and stuck up over the mantelpiece. Then men—and women, too, for these were generally "ladies' clubs"—would go in and drink just as freely, and without the same control from the police, as they would in a public-house. If anyone doubted this, he would refer them to a report which appeared in *The Preston Herald* of November 26, 1881, where a long list was given of 31 clubs, all situated in Bradford, some of the particulars of which were very interesting. They all seemed to be of the same character. In one of the local Conservative clubs there were billiards, smoking, and other rooms, nearly 200 members, subscriptions *5s.* a-year, payable quarterly. Intoxicants were sold here, especially on Sundays, and it was a common practice for 100 or 200 persons to assemble there on Sunday evenings and continue to sing, smoke, and drink for many hours without intermission. He would not trouble the House with the particulars of more of these clubs, but they were all of much the same character as this one. The police had no power to interfere with these clubs, and it was very difficult to legally describe what was a club. He presumed membership of a club consisted in election, and in the payment of a subscription. They might depend upon it that the ballot in these clubs was not so strict as it was in the case of—[Mr. WARTON: The Reform.]—some of the more prominent clubs; and, possibly, the officials were not over-scrupulous in the collection of subscriptions. If they suppressed public-houses to the extent contemplated by the noble Lord, he (Sir Herbert Maxwell) had very little doubt that they would encourage a class of houses such as were fortunately very little known now in Scotland, but of which there were, he believed, in the United Kingdom altogether about 10,000. Having alluded to some of the defects of the noble Lord's proposals, he felt bound to indicate some of the measures to which he looked for the remedy of the existing state of things, for he admitted that it needed remedy. He had great confidence in the effects of education; and in this respect he was able to concur in the sentiment recently expressed by the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright), when he laid the foundation-stone of a school at Llandudno. He believed a system of State education, properly conducted, might be found the truest remedy for the evils of intemperance. Bring up children with an adequate and perfect knowledge—as perfect as possible—of the physiological evils and the moral results of intoxication, and they would then imbue the mind of the nation with such a horror of it that its influence would be infinitely more effective than any artificial legislation such as was now proposed by the noble Lord, and which had been supported by arguments untenable in themselves, and sentimental in their character.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir Herbert Maxwell.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. ANDERSON said, he would not follow the hon. Baronet opposite (Sir Herbert Maxwell) in the speech he had just made. The hon. Baronet had not made a second reading speech at all; but had gone very much into small minute details of the Bill, and had criticized it adversely. At the same time, he could agree with the hon. Baronet in a great many points. Though his (Mr. Anderson's) name was on the back of the Bill, he did not approve of everything that was in it, for he had always opposed the Permissive Bill; but he supported the Local Option Resolution, and he thought the Bill was a fair and honest attempt to give expression to the meaning of the House when it voted in favour of Local Option. ["Hear, hear!" *and* "No, no!"] He could only say to those hon. Members who said "No!" if they were Members who voted for Local Option, that he would like them to bring forward their views, and let the House know whether they could introduce a more satisfactory measure than the one under discussion. The main object of the Bill was to reduce considerably the number of public-houses, and to give the vote upon such matters to the ratepayers. The hon. Baronet said that the ratepayers in burghs already had that vote, because the ratepayers elected the magistrates. He did not think the hon. Baronet was quite correct in that. The ratepayers only indirectly elected the magistrates. They elected the Town Councillors, and the Town Councillors elected the magistrates; but he did not think it would be a very good thing in the municipal elections of the country that they should hinge on the drink question, and the only tendency of referring the drink question entirely to the magistrates would be in time to make that one of the great questions at the election of Town Councillors. He did not think that would be a good thing to do; and he thought it was a sufficient answer that the noble Lord in his Bill suggested a totally new form of licensing authority. But while the burghs had a certain control at present, there was not the same control in the hands of the ratepayers in counties, and therefore some amount of authority should be placed in the hands of the ratepayers in counties. The noble Lord proposed to do that; but, at the same time, as the Government held out the hope of dealing by-and-bye with the question of county government, the noble Lord in his Bill had provided for the licensing authority ultimately being vested in any system of county government that should be established. In his opinion, one of the great points in the Bill was that in no case should there be an absolute veto, because he did not think that in the Bill, as drawn, it would be possible in any borough whatever to have a total absence of public-houses; because if feeling ran high on one side, and a large number of ratepayers voted for no public-houses at all, feeling would also run high on the other side, and that side would vote for the maximum number, so that a comparatively small number of votes would be sufficient to prevent a total and complete prohibition. The hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) would think that one of the blots of the Bill; but he (Mr. Anderson) thought it was one of its advantages. He thought it much better that the principle of the Bill should be discussed now, and that such matters as were discussed by the hon. Baronet opposite should be discussed when the Bill went into Committee, if it went to that stage. While he should like to see the Bill go to Committee, he thought it might perhaps be desirable that it should go to a Select Committee in the first place, to see whether it could not be put in a shape that would make it somewhat more acceptable to the House, and thus gain a larger amount of support. In that way a great many of the more objectionable clauses would be got rid of; and he thought there were some such clauses. Such a clause was Clause 11, in which persons connected with the trade were in a manner deprived of their citizen rights. That was a clause he could not approve of. The question of compensation also required to be dealt with somewhat differently from the way it was dealt with in the Bill. But if the Bill were brought before a Select Committee, chosen from all parts of the House, it might be possible to bring the Bill into better shape; and though it might not be possible to get it through this year, a large step might be gained towards the settlement of the question in some future year. He did not know what course the Government intended to take; but he thought it might be very well for them to agree to the second reading of the Bill, conditional upon its being referred to a Select Committee afterwards.

MR. DALRYMPLE said, he could not understand the position of the supporters of the Bill; and he must be allowed to express his surprise that the hon. Gentleman who had just sat down, and who had his name on the back of the Bill, should recommend sending the measure to a Select Committee for the purpose of removing some of its objectionable clauses. He admired the courage of the noble Lord the Member for Argyllshire (Lord Colin Campbell) in endeavouring to deal with a thorny question, and he could only regret that he had not introduced his Bill in a spirit of greater hopefulness. The noble Lord, having combatted some objections which probably would not have been raised by anyone else, spoke of his own Bill as "crude and thorny." That remark would have come better from the hon. Baronet who had preceded him on that side of the House (Sir Herbert Maxwell). It was very easy to raise objections to the Bill; at the same time, it would be difficult to introduce any measure dealing with the liquor traffic in regard to which such objections could not be raised. The Bill should certainly be discussed in a spirit free from political bias, but he could not fail to notice that it was backed with the names of eight Liberal Members of the House. The only explanation he could give for the uniformly Radical character of the measure was that it must be significant of the intentions of Her Majesty's Government. He did not, however, seriously attach any importance to the paternity of the measure. As he had on former occasions been identified with this question, he was familiar with its details. That proposal for limiting the number of public-houses had formed a leading part of what was known as Sir Robert Anstruther's Bill in former years. Though he admitted that there would have to be exceptions to it, he considered it a valuable provision which would be beneficial, and which should continue to be aimed at. He agreed with the hon. Member for Glasgow (Mr. Anderson) in his remark about Clause 11. He thought that clause was of an unnecessarily offensive character to persons connected with the liquor trade. He could not for the life of him see why a man, because he was connected with the liquor traffic, should be deprived of his rights of citizenship. He had just as much right to give expression to his views in matters affecting the place to which he belonged as the representative of any other trade. The noble Lord the Member for Argyllshire, in his opening remarks, had referred to the opposition he had met with in reference to the question of compensation. He (Mr. Dalrymple) was quite sure that whatever measure was introduced of this kind must, if it was intended to be successful, contain a reference to compensation; and those who were inclined to oppose the Bill on the ground that compensation was contemplated in it were really not the best friends of temperance. But when they came to consider the sources from which the compensation was to be drawn, he admitted that a difficulty immediately arose. The hon. Member for Glasgow (Mr. Anderson) had complained of the details of the measure being referred to in a speech on the second reading; but the fact was, that in a Bill of this kind the details were everything, for they were all agreed upon the principle, and it was inevitable that on the discussion on the second reading these details must be referred to. He (Mr. Dalrymple) awaited with great interest an expression of opinion by Her Majesty's Government. The right hon. and learned Lord Advocate had received deputations on many subjects of interest of late in Scotland, and he (Mr. Dalrymple) was quite sure the views of those who were interested in this subject had been laid fully before him. He should be glad to hear what the opinions of the Government were, not only in reference to this Bill, but in reference to the question of Local Option, not only because it affected great interests, but because on the last occasion on which Local Option was before them the Government, in the person of many of its Members, supported that Resolution. He was very sensible of the defects of this measure. He thought that in some respects it was a too ambitious measure; but having in times past interested himself in this question, and done what he could in the direction of the measure of the noble Lord, and having also on different occasions supported the Local Option Resolution, he could not withhold a vote in favour of the second reading of the Bill, even although he recognized defects in the measure. The noble Lord, in complete agreement with the general tone and character of his speech, seemed to think the Bill might never reach Committee. He should recommend the noble Lord, when he dealt with questions of this kind, to look forward more hopefully to the result of his efforts, even to the extent of his measures reaching Committee. If the Bill of the noble Lord went to a second reading, he should certainly support it; but he considered that many of its details would require attention and correction, and he would hope that even if the Bill went no further at the present time, it might form the basis of legislation in the future in regard to Scotland, where the people were so much interested in this question.

Mr. WILLIAMSON said, his name was on the back of the Bill, and he had readily consented to its being put there, because he looked on the Bill as a laudable effort on the part of the noble Lord the Member for Argyllshire (Lord Colin Campbell) to deal with what was a most difficult subject; and, in the second place, because it largely tended in the direction of restriction of a traffic which was most injurious to the character of the country. In the third place, he had put his name on the back of the Bill because although, like others, he could not say he agreed with all the details of the measure, still it presented to the House and the country a good basis for discussion; and although the noble Lord did not seem to expect to be able to pass it in its present shape, yet he (Mr. Williamson) sincerely hoped that good would flow from it, and that, next Session, if this Bill failed, another might be brought in of a more practical character, and, if possible, a Government measure. Perhaps the right hon. and learned Lord Advocate might give it his attention, and deal with it in a more suitable manner. He was quite sure that few Members could come to the House representing Scotch constituencies who were not pledged, and who were not required to declare in the face of their constituencies the desire, that this dangerous liquor traffic should be restricted. The hon. Baronet opposite (Sir Herbert Maxwell) had spoken of this Bill being a censure on the present licensing authorities. But afterwards he had admitted that there were grave evils requiring a remedy. How did he reconcile these different statements? The licensing authorities had done their best, no doubt, but they had failed, and a remedy was required. He (Mr. Williamson) was perfectly sure the people of Scotland would not rest satisfied unless a remedy was sooner or later found. The Bill did not please the publican; it did not please the extreme Temperance Party. Undoubtedly, the cause of this was the clause dealing with compensation. Licences were only granted for one year, and why, it was asked, should communities be fined in very large amounts for the extinction of these licences at the end of the periods for which they were granted? Of course, other circumstances attaching to these licences came into play; and, speaking for himself, he was not disinclined to the consideration of this question of compensation. Undoubtedly, it formed the most difficult part of this Bill, or any Bill dealing with the restriction of the liquor traffic. Having said this much, and being hopeful that if not this Session, at least soon, a measure dealing with this dangerous traffic would pass the House, if the noble Lord went to a division, he should support the Bill.

SIR WILFRID LAWSON: Sir, I feel considerable sympathy with the noble Lord the Member for Argyllshire (Lord Colin Campbell) in the circumstances in which he is placed, because it appears to me that he is, as he has explained himself, attacked on both sides. I remember that several years ago the Prime Minister, when he was Chancellor of the Exchequer, brought in a Bill dealing with the liquor traffic, and that he was opposed both by those who are called the friends of temperance and by the licensed victuallers; I remember also that at the time it was said in an article in *The Times* that the Chancellor of the Exchequer was attacked by a combination of knaves and fools. I do not know which were the knaves and which were the fools; but I suppose no one would think of calling the people who deal in drink knaves, so the knaves on that occasion must have been the friends of temperance. The noble Lord is attacked, as he knows, by both these parties; and, therefore, it becomes us to look carefully into his Bill and see what manner of Bill it is, and whether it should have a second reading in this House. I certainly have felt some little difficulty in speaking on this matter; but I felt that I was to a certain degree bound to speak, because I am afraid that if the noble Lord has got into any trouble in this matter, it is partly at my instigation. The fact was, he and I were at a large meeting in Glasgow during the winter of last year. The noble Lord was in the chair, the meeting was very enthusiastically in favour of attacking the liquor traffic; and towards the conclusion of the meeting, I ventured to make the suggestion—perhaps, unwisely—that the noble Lord was a very fit and proper person to bring in a Local Option Bill confined to Scotland. I, as an Englishman, am here to-day to thank him for having set us such a good example in Scotland, and for having made this laudable effort to do something to diminish the evil of the liquor traffic in his own country. The hon. Baronet who moved the rejection of the Bill (Sir Herbert Maxwell) has found fault with the speech of my noble Friend as not being very serious; but, surely, his own was very serious. All of us observed the serious and earnest manner in which my noble Friend approached the subject; and what he has done, as far as I can understand it, is to gather up Scotch opinion, and endeavour to give effect to it by bringing in some measure which shall limit the operation of the liquor traffic in Scotland. But if I did lead my noble Friend astray in the suggestion I made at the public meeting in Glasgow, I must make a little defence of myself. What I suggested that my noble Friend might very properly do was to bring in a Local Option Bill for Scotland; I never asked him to bring in a Licensing Bill. So he has erred, if he has erred at all, through excess of zeal—he has tried to combine licensing with the popular veto, of which I am an advocate. I am no authority on a Licensing Bill. I believe I am the only man in the Kingdom who has not got a scheme for licensing; I have never felt myself competent to propose a licensing scheme. Licensing has been discussed by this House, by the people of this country, and by the ablest men in the country for generations past; but I have never yet seen a Licensing Bill which could stand the test of logical examination, and I have not been called upon to rush in where all the ablest people have hitherto failed. All I have ever proposed, and what I did think the noble Lord might have safely confined himself to—although he is quite within his right in endeavouring to reform the Licensing Laws—was Local Option. All I wanted him to propose was that the people of Scotland should have a popular veto on the issue of licences; that they should be able to protect themselves, if they did not wish to have public-houses forced upon them. I think I was justified in suggesting that, because, as has been stated several times already in this debate, the Members for Scotland, by a majority of 8 to 1, have on more than one occasion declared in this House that Local Option is a right to which the people are entitled, that the people should be no longer left in leading-strings like children, and that they should not be left to the tender mercies of magistrates capable of overriding popular opinion; they have declared that the time has come when Scotchmen are fit to manage their own local affairs. If that was all that the Bill of my noble Friend provided, I am sure it would not only have had my most hearty co-operation, but it would have secured an immense amount of enthusiastic support throughout the whole of Scotland. But in his very laudable effort he goes a little further than I go—he not only proposes to give the popular veto, but he wishes to reform the licensing system at the same time. He has incurred a certain amount of opposition which I hope will not discourage him, and which I regret to find has been incurred by one engaged in such noble work. Now, as to the Bill itself. Are we justified in giving it a second reading, or are we not? There is one argument, I think, very strongly in its favour, and that is the fury of the publicans against it. Day after day I have got circulars denouncing the noble Lord as a confiscator and an agitator, and accusing him of all that is vile and wicked, because he is endeavouring to restrict this traffic, which is endangering his fellow-countrymen; and I cannot help thinking that when those whose main object is to live by the means of that traffic throw so much obloquy upon the author of this Bill, it must be a Bill which would do a great deal to restrict and restrain the traffic. I think it must be so, because hon. Gentlemen have no doubt seen the table which was presented to them, showing what the effect will absolutely be if the Bill comes into force. I see that in the Parliamentary burghs of Scotland, the number of places licensed for the sale of drink will, by the operation of the Bill, be at once reduced by more than one-half. If this is not a Bill to promote temperance, I really do not know what Bill would do it. But, of course, there are objections to the Bill. I do not want to dwell upon them, because they are more a question for Committee; but I am afraid I must say a word or two upon them, lest I should be understood to approve of the objectionable portions of the measure. The noble Lord, I think, in his Bill, provides that a man may hold a licence, under certain circumstances, 10 years. That is quite a new thing in our legislation. Never before has a licence for the sale of drink been granted for more than one year. Then the noble Lord puts in a small veto in a reverse way, which may override the opinion of the majority of the people if that opinion is in favour of total prohibition of places for the sale of drink. These two points I should certainly like to see struck out of the Bill. And then there is the question of compensation. That, also, is a question for Committee. The proposal, however, is one which has aroused very great hostility to the Bill throughout Scotland, so far as I have been able to learn, because it is quite a new idea that people who pay for their licence for one year, and get the benefit of it, are, if the State refuses to renew the bargain at the end of the year, to be compensated. There are so many difficulties surrounding the matter that people cannot understand this question of compensation. For instance, some persons ask why a man who has been refused a licence, as well as one whose property has been deteriorated by the establishment of a licensed house near it, should not be compensated. All these questions are so intricate and so puzzling that they have aroused hostility to my noble Friend's Bill. I see the hon. Member for Limerick (Mr. O'Sullivan) opposite; he is always ready when there is a Drink Bill on, and I suspect he will make us a very able speech before the conclusion of this debate. He knows all about compensation; no one knows the subject better. I heard him say in this House that if the Irish Sunday Closing Bill were to pass, 16,000 Irish publicans would be absolutely ruined. [Mr. O'SULLIVAN: No, no!] Oh, yes; I take all these things down, in order to bring them out at the right time. The hon. Member said that, and what happened? The Bill was passed, and when an hon. Friend of his got up and proposed that there should be compensation to these publicans, the proposal was absolutely laughed out of the House. The 16,000 Irish publicans have not got a penny of compensation, and yet my noble Friend comes down to the House and asks that the publicans of Scotland should be compensated. Surely this would be creating a new Irish grievance? But now, Mr. Speaker, all this, as I have said before, is for the Committee. I am only obliged to touch upon these points to show that I differ from my noble Friend upon them; and if these points are for the Committee, let us deal with the Preamble, the real object and intention of the Bill. When I used to bring forward the Permissive Bill in this House I used to tell the House, every time I did so, that I did not care a straw about the details or clauses of that Bill, because on the second reading we discussed the principle of the Bill, and nothing else. I never could persuade the House to take that view; they always would single out particular clauses, and enlarge upon them. I never could see the propriety of such a course. So at last I yielded to their arguments, and I said—"We will not have any Bill at all; but we will simply have the Preamble in the shape of a Resolution;" and, as the House knows, on two occasions I have got that Resolution carried by the House. At the present moment we are only waiting to get that Preamble turned into law by the action of the Government, who will have to take up this question, and will be obliged to act upon that Resolution before very long. I tell them distinctly they will have to take up this question, and found an Act of Parliament upon that Resolution, if they wish to retain the confidence of the country which placed them in power. ["Oh, oh!"] Ah! hon. Members may laugh. They do not know the feeling of the country upon this point as well as I do. I am not speaking without the book. I know there is no question on which the people of this country have so determinedly made up their minds as this—namely, that they will have the power to protect themselves from this liquor traffic, which is bringing ruin and devastation to the country. That being the case, I say my noble Friend is going in the right direction, whatever the details of his Bill be. He has gathered up, as well as he can, Scotch opinion on this matter; and the House, by the second reading of this Bill, will declare that the Scotch people are ready and anxious to take some decisive step towards reducing in some way or other the deadly influence of this liquor traffic, against which they are now roused to such a great extent. If the House gives the Bill a second reading, as I hope they will, they will simply say that Scotland is determined that the liquor traffic shall be diminished in its great power; that Scotland is ready and willing to take the lead in this matter, and give to the people power to protect themselves against the evils of the drink traffic—if not by the exact details of this Bill, at least by some measure aiming in the same direction.

Sir JOHN HAY said, although he did not intend to support it, he was one of those who thanked the noble Lord opposite (Lord Colin Campbell) for the measure he had introduced to the notice of the House. The subject was one of such difficulty, that he (Sir John Hay) thought him a bold man who, as a private Member, attempted to draw a Bill of that character; and he confessed that, far from deprecating the tone in which the Bill was introduced, he thought the noble Lord was really serious in discussing his measure, and that the speech which he delivered was one of great interest. But he must also confess that he thought the speech of his hon. Friend who moved the rejection of the Bill (Sir Herbert Maxwell) was one worthy the attention of the House, and he concurred in the reasons which his hon. Friend gave for refusing to support the measure. The hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson)—though they were aware that those whom he ordinarily represented were not entirely in concurrence with the proposals of the noble Lord—thought that, for certain reasons, it would be desirable to give the Bill a second reading. But there were two classes of persons in this country, and two only. There were the friends of temperance, represented by, he trusted, the majority of this House; and there were the friends of total abstinence, of whom the hon. Member for Carlisle was the advocate. What, however, the House had to consider was what was best for the interests of temperance. If they were a new community, he (Sir John Hay) supposed one of the first arrangements which the community would undertake would be to see that these hostelries and taverns were provided where persons might find necessary refreshment; and it seemed to him that because they were an old community, it was equally necessary that, under due regulation no doubt, these conveniences for the public use should be continued. He (Sir John Hay) had now been for some 41 years a magistrate in his own locality, where sobriety had greatly increased. The population in that district had not greatly increased in 40 years; but the public-houses considered necessary for the population had been diminished by two-thirds. That was the case in other parts of Scotland; and, if so, to what better source could they look for the regulation of this subject than to the magistracy of the country? He objected to the question of the number or nature of the public-houses being thrown into the arena of a popular election. It would be very much against the peace of a district. Therefore, looking to the fact that the Bill which the noble Lord had introduced, and had introduced, he had no doubt, for excellent reasons—looking to the fact that it left to the majority in each district the determination of the number of public-houses which should be permitted, that condemned it, in his opinion, and prevented him from voting for some other provisions which he should be glad to see introduced. It had been pointed out that the circumstances and nature of districts should be taken into consideration, as well as the numbers of the resident population, in determining how many public-houses should be licensed. Allusions had been made to the burghs of Peterhead and Dysart, which had the same normal population; but it should be considered that in Peterhead, besides the ordinary local population of industrious fishermen, there was, at certain seasons, a large accession of strangers taking part in the herring fishery. Now, it appeared to him that during the dull season the local vote might be given in favour of the reduction of the number of licensed houses, without any care for the convenience of visitors, who might not be able on their arrival to find that accommodation which they had a right to expect. On the whole, he considered that the power of licensing could not be placed in better hands than those of the resident magistrates; and he was entirely averse to any arrangement which would take away from the local magistracy, or from the burgh magistracy, the power which they now possessed of determining the necessities of their particular districts. He believed they were more capable of determining wisely what might be necessary for their district than the breath of popular opinion, influenced, perhaps, by the eloquence of his hon. Friend the Member for Carlisle, or other persons who might persuade them that they did not require the particular assistance and convenience which was afforded by the public-houses in the respective districts, and thereby lead them to inflict an injury, not only on occasional visitors, but upon others who were permanently resident there. For these reasons, he must vote against the principle of the Bill which the noble Lord had introduced. His belief was that this Bill, if passed into law, would inflict a great amount of injury, not only on the casual visitors, but upon licensed traders themselves throughout the length and breadth of Scotland.

Mr. O'SULLIVAN said, that, as an Irishman, he had to apologize for interfering in a discussion relating to a Scotch Bill; but he had a strong objection to any measure which involved the principle of confiscation, whether it affected Ireland or any other part of the Empire. If the Bill were carried for Scotland, it would be sure to be proposed for Ireland next. That made it a matter of great and momentous consequence, and one which should not be left in the hands of a private Member. In his opinion, Government itself should take the subject up, for he did not see why the interests of a large trade and the properties of those engaged in it should be made away with by means of crude Quixotic legislation. Before he sat down he wished to correct what had fallen from the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson). That hon. Gentleman had stated that during the discussion upon the Irish Sunday Closing Bill, he (Mr. O'Sullivan) said that 16,000 Irish publicans would be destroyed, unless they got compensation. He did not think he had made that declaration. The fact was, the subject was so frequently before the House, and he among others had spoken so frequently on it, that he forgot what he really did say, and the hon. Baronet had himself so often joined in the discussion that it was impossible he could recollect what had been said by each one of his opponents. To the best of his recollection, however, what he did say was that if the Bill passed the Irish publicans would lose one-sixth of their profits under the operation of the Bill, and that for that loss they ought to be compensated. The truth of that had been amply proved. The Bill had turned out a failure. [" Hear, hear ! "] Yes, a failure ; for a man who wanted to get drunk had only to declare that he was a *boná fide* traveller, and forthwith he could be served with as much as he required. There never was a character so expansive as that of the *boná fide* traveller. The best definition he had yet heard was that given by Mr. Baron Dowse, who declared that a *boná fide* traveller was anyone who wanted to drink and had money in his pocket. This Bill certainly proposed to compensate the licensed traders in Scotland ; but how were they to be compensated? They were to receive the amount of three years' profits as disclosed in the Income Tax Returns. But was the noble Lord aware that these men had paid for their houses 10 or 15 years' purchase of the profits? He was, therefore, bound to say that it was a most extraordinary thing that anyone could be found so cruel and inconsiderate as to bring in a Bill to confiscate all beyond the three years' price and the price the publicans themselves had paid for the business. He hoped the House would not be so unjust as to sanction any such measure. They had heard from the right hon. and gallant Baronet who represented Wigtonshire (Sir John Hay) enough to satisfy them. That right hon. Gentleman had told them that under the jurisdiction of the local magistrates the licensed houses in his district had been reduced one-third ; although, in his (Mr. O'Sullivan's) opinion, the number of public-houses had nothing whatever to do with the matter, for if a man wanted to get drunk he could get as much to drink at one public-house as he could get with the full range of 10 public-houses, if the landlord thought he had not already had enough—for there was no greater nuisance to the publican than the drunkard ; no man inflicted upon him a greater amount of injury ; for such was his conduct that he turned respectable customers out of the place. He repeated that this was a matter which ought to be left in the hands of the magistrates, under whose jurisdiction the number of licensed houses had been reduced, although the population had largely increased. Again, he had to say that he did not wish to interfere in what was a purely Scotch matter, were it not that he felt that this measure, if it became law, might be made the precedent for the introduction of a similar measure of confiscation with respect to Ireland, and finally as regards England itself—[" Oh, oh!"]—for, from what he knew of the Temperance Party, they cared little about confiscating the property of the licensed victuallers, whether they were Irish, Scotch, or English.

MR. JAMES STEWART said, that, discussing the Bill at the present day, it would be out of place to dwell upon the evils of the traffic, which were generally recognized in the country. He quite concurred with the hon. Member opposite (Mr. Dalrymple), that this ought not to be made a Party question. On both sides of the House, he thought, there was a general agreement, that it was one which ought to be dealt with by the Legislature without delay. At any rate, so far as Scotland was concerned that opinion was very strong. Scotland, however, was much in advance of England on the question; and, therefore, he felt indebted to the noble Lord for having given his attention to this question, and for having attempted to deal with it in a manner in accordance with the wishes of the people of Scotland. He did not intend, on this occasion, to enter into the details of the Bill. As far as he was personally concerned, there were some parts of it which he would wish to see amended; but he thought that in Committee was the time to deal with these. The recommendation of his hon. Friend the Member for Glasgow (Mr. Anderson), that the second reading should be taken on the understanding that the Bill be referred to a Select Committee, was one which might be agreed to by the House. The Bill had very much to commend it, and it would be a great pity if the second reading were rejected ; and, on the other hand, there were several novel features in the Bill which might be dealt with in a Select Committee with more effect than in a Committee of the Whole House. He certainly should give his support to the second reading, in the belief that the Bill might be amended in Committee.

Dr. CAMERON said, that the right hon. and gallant Baronet opposite (Sir John Hay) told them how it was for the magistrates to see that public-house accommodation was provided, and how they had done their duty admirably, and how they had done it by cutting down the number of licences by a third. Well, that was exactly what he (Dr. Cameron) wanted to see done to a greater extent. But in discussing the local circumstances of Scotland, the right hon. and gallant Baronet forgot that a number of different licensing systems existed there. In the counties the control of the licensing system was certainly entirely intrusted to magistrates appointed by the Crown; but in the burghs a veto power on all new licences was placed in the hands of magistrates elected—though not perhaps directly elected—by the people; and, again, in the country there was the power of the landlords, overriding that of the magistrates, to declare that upon their estates they would have no licensed houses. Therefore, he thought any argument founded upon the existing state of things went as far in favour of the noble Lord the Member for Argyllshire (Lord Colin Campbell) as of the right hon. and gallant Baronet. They had been told that the Bill was one of such magnitude that it ought to have been introduced by the Government. He (Dr. Cameron) admitted that it was a Bill of great magnitude, and it would have been desirable if it could have been introduced by the Government. There were a great many important Bills relating to Scotland which they would like to see introduced by the Government. The time at the disposal of the Government, however, was so limited that Scotland was favoured with very few Government measures indeed. He did not say that for the purpose of reflecting in any way upon the right hon. and learned Lord Advocate, or anyone else connected with the Government; but he thought, under the circumstances, it was hardly fair when a private Member stepped in and placed a cut-and-dried plan in the hands of the Government, and secured a time for its discussion which the Government could not afford, that he should be met with such objections, and told he should not step in to try what could be done. He did not think his noble Friend expected to be able to pass the Bill in the House by his own unaided efforts; but he thought the noble Lord had done eminent service in bringing it forward, and in obtaining the discussion which had taken place. He must say he trusted the effect of his introducing the Bill, and in embodying in it so many practical points, would be to induce the Government to deal with the question; for there was no subject affecting Scotch interests in which, according to his experience, there was such general interest felt. At no political meeting could Scotch Members attend without being asked questions on that particular subject, and on no subject were so many meetings held and so much said as on the Scotch Licensing Question. He therefore trusted the Government would deal with the question themselves; and he was sure no Member in the House would view them doing so with greater pleasure than the noble Lord who introduced the Bill. A great deal of fault had been found with the details of the Bill. The hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) had possibly dealt in a more prudent fashion with the Licensing Question. He never introduced any details at all. He (Dr. Cameron) had heard the way in which the hon. Baronet dealt with the question compared with the way in which the prize-fighter of the old times used to meet an opponent. He used to have his hair cropped and his ears greased in order that his opponent could not get hold of him. If he might use the expression, he would say that the hon. Baronet had done the same thing, and had reduced his Bill to a Preamble, so that it might pass the House. But his noble Friend had not gained the experience of the hon. Baronet, though, no doubt, when he had, he would follow that example and cut down his proportions more. But he really did not think the present was an occasion when they ought to discuss the minutiæ of the Bill. The hon. Member for Limerick (Mr. O'Sullivan) had a measure before the House which he had introduced for the promotion of temperance. He was impressed with the great evils worked by newly-distilled spirits, and he had a measure for detaining spirits in bond until they had become less obnoxious. A large section of the Temperance Party did not quite agree with him as to the efficacy of this specific against drunkenness; but he (Dr. Cameron) could not refuse to agree with him on the question of a scientific fact, and he had therefore given the Bill his support, as he thought that it would do some good. The principle of the present Bill appeared to be the transfer to a large extent of the granting of licences to popularly-elected bodies, and the restriction of the number of licences granted. Taking that into consideration, he thought the suggestion made by his hon. Colleague (Mr. Anderson), that the Bill should be read a second time, and then referred to a Select Committee, was an eminently practical one. The Bill contained so many points that the whole Licensing Question of Scotland would be brought before the Committee; and if the postponement of the Bill for six months would meet the views of the hon. Baronet who had proposed the Amendment (Sir Herbert Maxwell), that certainly would be attained by referring the Bill to a Committee, while a large amount of information would be obtained by that course, and would be embodied in its Report.

SIR EDWARD COLEBROOKE said, that if the object of the noble Lord the Member for Argyllshire (Lord Colin Campbell), in introducing the Bill, was to raise a discussion on the question, he should have no objection; but if the object was to secure the approval by the House of the general principles of the measure, then he thought the House ought to pause before it sanctioned a Bill, part of which he considered a flagrant injustice, and other portions of which he considered to be impracticable. If the object of the hon. Member for Glasgow (Mr. Anderson), in proposing that the Bill should be sent to a Select Committee, was to leave the Committee open to consider the whole question, and to draw its own conclusion as to what was desirable and what was not, that would merely be a Committee on the whole question of Temperance; and he (Sir Edward Colebrooke) should have no objection. He would not go into the details of the Bill, which were very elaborate, and difficult to deal with in discussion. Looking, in the first place, to the reasons why legislation was required at all, he, for one, believed, and had always contended, that the existing licensing body had been very hardly dealt with by the public. They had done their duty fairly, and in conformity with what he conceived to have been the intention of Parliament, which had never been that the object of a licensing body was, as far as they could, to restrict the liquor traffic. The main object had been a matter of police—of putting the whole of the public-houses under such control of public authorities that all publicans should be upon their good behaviour, and their licences should be taken away in the case of bad behaviour; and there was a restriction as to new licences, in view of the demands that existed for them. He thought the magistrates had behaved in a manner which justified the confidence of the country. In regard to the point of new licences, there had been, he thought, a fair complaint made. He thought there had, perhaps, been a tendency to show somewhat greater latitude than was desirable, and the demands which had arisen for a reform was chiefly in that direction, especially in Scotland. He thought the hon. Member for Glasgow had done good service in putting the law upon a much better footing, so that the function of licensing was performed by a more select body. He (Sir Edward Colebrooke) was prepared to go with the Bill, so far as it proposed to give a greater amount of popular control in the matter of licensing. Up to that point, and to that point only, he was quite prepared to go with the noble Lord in the reforms proposed in the Bill. Beyond that, he thought the proposals were such as would never work, and must lead to injustice. If they went beyond a certain point they ran far greater danger of increasing the intemperance of the country than any chance of reducing it, and would probably encourage low "shebeens," and give a great impulse to intemperance. To attempt to reduce the existing public-houses by one-half could not be done without injustice; and how was it to be done? Not by the voice of the licensing body, who should determine what houses should be retained; but the houses were to be put up to auction to the highest bidder, and the result would possibly be to throw the trade into the worst hands. He looked upon the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) as the greatest advocate of intemperance in the country. That was not the hon. Baronet's views; but it was the natural result of the legislation he wished the House to adopt. The attempt of the noble Lord to introduce a compromise in the Bill must certainly fail. He proposed to give the right to a majority in a district to suppress public-houses; and then he went on to say that the minority had rights also, and that they might have public-houses for their own benefit. The two principles were irreconcilable. He (Sir Edward Colebrooke) wished to know how far this measure was proposed as an experiment of the Gothenburg system. It was on the lines of that system. It proposed to put the licences into the hands of licensing bodies, with a view to having each public-house put up to auction. He had always been anxious that some experiment of that kind should be tried; but it must be tried only as an experiment. Then it was proposed that there should be compensation; but, under the Bill, the people who were to pay were not simply those who voted to do away with the public-houses, but the whole community. He asked hon. Members representing either burghs or counties to look at the Bill again, and consider what it was they were voting for. It was that the whole expense should be thrown, not upon those who voted for the proposal, but upon the whole body of the ratepayers, though they might object to the system altogether. He objected to this proceeding altogether. The system might be carried out by voluntary effort, and a proposal of that kind might be deserving of the attention of Parliament. He could not, therefore, vote for the Bill in the shape in which it was brought forward. If Her Majesty's Government were desirous that it should be referred to a Select Committee, he should then have no objection to its second reading, with the view of the whole question being considered.

Mr. C. S. PARKER said, the hon. Baronet the Member for North Lanarkshire (Sir Edward Colebrooke) had made a valuable contribution to the discussion; but his criticism bore chiefly on details which did not necessarily affect the second reading. He trusted, therefore, they might have the support of the hon. Baronet on the terms he offered, and which he thought the noble Lord the Member for Argyllshire (Lord Colin Campbell) would accept—namely, to refer the Bill to a Select Committee. For his own part, he intended to support the second reading of the Bill; because, although he thought that many of the details were complicated, and perhaps some of the minor principles were objectionable, yet he was in favour of the main principle. He could not, however, support it silently, because, in the course of the debate, there had been so much difference of opinion expressed as to what was the principle of the Bill. Perhaps the haziest form in which it had been presented was, as usual, the form in which the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) had put it, for, avoiding, as he habitually did, a close grappling with the difficulties, he represented the principle of the Bill as being simply this—those who voted for the Bill would express the opinion that the House was ready and anxious, in some way, to take some decisive step to reduce the deadening influence of the liquor traffic. Well, if that had been the principle of the Bill, he (Mr. C. S. Parker) conceived that almost every Member of the House would be willing to support it. He supposed even the warmest opponents of it would not refuse, in some way, to take some step to reduce the deadening influence of the liquor traffic. But elsewhere in his speech, the hon. Baronet took good care also to say that the principle of this Bill was the principle of the Permissive Bill—virtually the Preamble of the Permissive Bill——

Sir WILFRID LAWSON: The hon. Member has misunderstood me. I said that the Resolution which I had twice carried in this House was virtually the same.

Mr. C. S. PARKER said, he would accept the correction; but did not think it made very much difference to his practical argument. He was himself voting for this Bill on the principle of Local Option, as he understood it. But the hon. Baronet was very much in the habit of telling the country that the principle of Local Option was the same as the principle of the Permissive Bill. He had told the House that day that the Members of Scotland had voted in the proportion of 8 to 1 in favour of the principle, which he sometimes called that of Local Option, and sometimes that of the Preamble of his Permissive Bill. It was quite true the Members for Scotland had voted in that proportion for the principle of Local Option; but it was distinctly explained in the debate in which it was first brought forward that Local Option by no means necessarily involved the principle of the Permissive Bill. He (Mr. C. S. Parker) should like to remind the hon. Baronet of what he said in the first debate on the Local Option Resolution. He then said that hon. Members were very suspicious, as if he had got a Permissive Bill concealed somewhere about his person; but he begged them to lay aside suspicion, because if anyone still thought that Resolution were a Permissive Bill, he could refer them to the right hon. Member for Bradford (Mr. W. E. Forster) and the right hon. Member for Birmingham (Mr. John Bright), who were about to support him. Everyone knew that those right hon. Gentlemen were opponents of the Permissive Bill; and the right hon. Member for Bradford was careful to say that he only gave his support to the Local Option Resolution on the understanding that some provision should be made by which, in every district, the minority should be able to obtain liquor. But to return to the present Bill, the hon. Member for Glasgow (Dr. Cameron), whose name was on it, told them that the chief principle of the Bill was to transfer the licensing to some popularly elected body, and to endeavour to restrict the number of licensed houses. He (Mr. C. S. Parker) thought that was a very fair description of the principle of the Bill. He should not go into the details of the Bill; but there was one point on which he should like to make a remark—namely, that a good deal of the opposition with which the noble Lord had been met—he thought, rather unkindly assailed—came from the very quarters in which he was induced to bring forward the Bill, and was due to the fact that while he placed elected authorities in the burghs, in the counties, as a temporary measure, he left the licensing in the hands of a body to be elected by the magistrates. He could understand that it might be politic, as a transitional measure, so to vest the licensing; but he thought the noble Lord might rest assured that a great deal of the lack of popular support, and of the lukewarmness in regard to the Bill, was due to his having been unable to place the licensing authority throughout the country in the hands of bodies elected by the ratepayers, and he thought if the Government were to take up this question, it would be most important that they should deal with it as a part of the larger question of Local Government. It would be unfortunate if they attempted to bring in a Bill dealing in that way with only one-half of the subject, placing burghs under elected boards, and leaving counties still under the present authority, or under a committee elected by them. He hoped that next year the Government might be able to take up that great measure, which they had dropped this year, of general reform of Local Government; and it seemed to him, when they had reform of the Local Government of the country, that the licensing power, as well as many other powers, should be vested in new boards, so elected as at once to command the confidence of the country, and retain the ripe experience of those who had administered the licensing system. On another objection made, he did not at all see the truth of what had been said, that it was inconsistent to give in some degree a popular veto, and yet again place, as it were, a veto on a veto, and give the minority the means of obtaining their habitual beverages. On the contrary, it was the very provision which was demanded by the right hon. Member for Bradford when the Local Option Resolution was first introduced. As he (Mr. C. S. Parker) understood that provision, it was intended that the power of veto should not go so far as total prohibition, but that in every district there should be some opportunity for the minority to obtain their usual refreshments and beverages. He should vote for the second reading of the Bill, not because he thought that all the minor principles in it might prove to be defensible, but on the principle of the Local Option Resolution, not understood in the sense of the Permissive Bill, but in the sense of vesting the licensing in a power directly responsible by election to the ratepayers of the district.

MR. BUCHANAN said, he should vote for the second reading of the Bill, although he thought it was objectionable in many respects. He hoped that if it passed that stage, it would not be referred to a Select Committee, and that the House would not hear any more of it this Session. He thought that the Bill did not contain material out of which a working Bill for Scotland could be elaborated by a Select Committee; but he trusted that the Government would, early next Session, take up the whole question, in consideration of the growing interest in it throughout the country.

Mr. ORR EWING said, if this Bill was sent to a Select Committee it would be thought by the people of Scotland that its principle was approved of. He therefore objected to the suggestions made by the hon. Member for North Lanarkshire (Sir Edward Colebrooke); but he had no objection to the whole question of licensing being referred to a Select Committee, if the Government thought it was necessary. This Bill raised very important questions, not only as to social arrangements, but as to the taxation of Scotland; because if the plan of the noble Lord opposite (Lord Colin Campbell) were adopted, it would add a very heavy burden to the existing taxation of every parish and burgh. As to the idea of three years' purchase being paid for what a man had probably given 10 or 15 years' purchase—of course, that was monstrous confiscation; and he hoped the Government would have nothing to do with such a scheme. He thought they went on very well in Scotland as it was. Let them wait until the measure promised by Government for County Boards was introduced. Until that was brought forward, he hoped the Government would not allow any such Bill as this to pass the second reading.

The LORD ADVOCATE (Mr. J. B. Balfour): Sir, I do think the House and the country are much indebted to my noble Friend the Member for Argyllshire (Lord Colin Campbell) for having brought this large and important question before them in the shape of the Bill now before the House. It is impossible to exaggerate the magnitude and importance of the question, and I think I am correct in saying that there is no part of the country in which its importance is more recognized than in Scotland; nor is there any part where there is a larger, a more wide-spread interest in it, than in that country. It has been said that on the Resolution of my hon. Friend the Member for Carlisle (Sir Wilfrid Lawson) the Scotch Members manifested their opinion as to the direction which legislation should take on this subject; and, undoubtedly, it was very significant that the votes on that Resolution—I mean the votes of Scotch Members—were somewhat in the proportion of 8 to 1 in its favour. That, I think, must be taken as expressing very clearly that North of the Tweed there is a strong opinion in favour of conferring large powers of regulation and control upon local bodies in the matter of the liquor traffic. It is no doubt true that there was a considerable range of opinion involved amongst those who voted for the Resolution—that is to say, there was a good deal of difference of view as to the precise mode in which, and as to the precise extent to which, the idea of local government implied in that Resolution ought to be carried out. It is because we have in the present Bill a very courageous and sincere attempt to formulate one of the phases of that range of opinion, that we owe a debt of gratitude to the noble Lord. But I think the discussion which has taken place to-day, as well as the many objections which have been raised, must have shown that there is not at present such a consensus of opinion as to the best mode of giving effect to the principle of local self government in the matter of the liquor traffic as to make it expedient that my noble Friend should press the Bill further through this Session. It has been truly stated that this is part of a larger question—the general question of Local Government—and, undoubtedly it is a very important part; but still it is only a branch of that question which has received, and will continue to receive, great attention at the hands of the Government. Therefore, without going into the details of the Bill, or following some of the criticisms which have been made upon it, I would put it to my noble Friend whether he should not for the present be satisfied with the very important contribution which has been made to the ultimate, and, I hope, not remote, solution of this question, and not press the Bill further. I would not even willingly assent to the Bill being sent to a Select Committee, because there are important questions of principle involved in it; and it would be unfortunate, if those who are desirous to co-operate in the settlement of this great question, but who are not agreed as to the best mode of settlement, were put to a disadvantage in going to a division. I therefore throw out the suggestion to my noble Friend not to carry the Bill further; and I believe that in doing so I express the prevalent sense of the hon. Members from Scotland.

MR. WARTON said, that when the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) threatened the Government that they would have to yield their places to others if they did not concur in his views, the House should be prepared to discount what emanated from that amiable enthusiast. The noble Lord the Member for Argyllshire (Lord Colin Campbell), in moving the second reading, had objected to putting the people into leading-strings; but to prevent them drinking when they chose was to treat them worse than children. It was the right of every man to get drink whenever he wanted it; and he should be trusted to his own sense of moderation not to drink to excess. To control the community as to drinking was to subject them to Radical tyranny. Of the noble Lord's eight bridesmaids —he meant "supporters"— four had spoken during the debate; but not one of the four had expressed concurrence with the Bill. If they did not agree with it, they should not back it merely for the sake of temporary popularity. He hated political insincerity; but that was what kept the Party of the hon. Baronet the Member for Carlisle on its legs. If the supporters of the Bill wanted it referred to a Select Committee, why did not they begin by proposing a Committee, instead of wasting the time of the House with a crude Bill like that? The noble Lord himself had called it a crude measure.

LORD COLIN CAMPBELL denied that he himself had called the Bill a crude measure. He attached no value to that criticism as coming from hon. Members opposite. If the Bill was crude, it would be for the House to alter it in such a way as might convert it into one which could not be so described.

MR. WARTON understood the noble Lord to admit the crudity of the Bill; but if that was not so, he was sorry for him. It would be well for the noble Lord to be delivered from the false kindness of his friends.

And it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

MOTION.

CUSTOMS AND INLAND REVENUE BUILDINGS (IRELAND) BILL.

On Motion of Mr. JOHN HOLMS, Bill for the Transfer of Property in Ireland held for the service of Her Majesty's Customs, and of the Inland Revenue, to the Commissioners of Public Works in Ireland; and for other purposes relating thereto, *ordered* to be brought in by Mr. JOHN HOLMS and Lord RICHARD GROSVENOR.

Bill *presented,* and read the first time. [Bill 156.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 11*th May,* 1882.

MINUTES.]—PUBLIC BILLS—*First Reading*—Public Health (Scotland) Act Amendment * (84); Boiler Explosions * (85); Military Manœuvres * (86); Documentary Evidence * (87); Commons Regulation Provisional Orders * (88); Petty Sessions (Ireland) * (89); Canal Boats Act (1877) Amendment * (90); Imprisonment for Contumacy * (91).

HIGHWAY ACTS—LOCAL SELF-GOVERNMENT.

QUESTION. OBSERVATIONS.

THE EARL OF ONSLOW, in rising to call attention to the Report of the Select Committee of last Session on the Highway Acts; and to inquire, Whether Her Majesty's Government, having regard to the relative state of Business in the two Houses of Parliament, will introduce into this House the measure for local self-government in counties, promised in the Queen's Speech? said, that last Session great interest was taken in this question by their Lordships, and it was inquired into by a Committee of 16, eight Members being taken from each side of the House. In their Report the Committee expressed admiration for the system existing in Scotland, where the highways were managed by bodies elected partly by owners of the land and partly by occupiers—bodies analogous to those which might be constituted in this country under a measure creating County Boards. The Committee thought that in any Bill which might be introduced by the Government for the establishment of County Boards, a scheme might be included for the administration of highways; and they were unanimously of opinion that some relief should be afforded by a redistribution of the charges for the roads, which now fell almost exclusively upon one class of property. Partly in consequence of the Report of the Committee, they were informed in the Queen's Speech, at the opening of the Session, that it was the intention of the Government to invite Parliament to deal with the question of Local Self-Government in Counties, and to make certain financial changes. He had no doubt the noble Lord who represented the Department in that House would say that the financial part of the measure would be so mixed up with the other part that a Bill could not be introduced in that House. But he had reason for hoping that it would not be impossible to do so, if the financial proposals were separated from the Bill; because in the Queen's Speech it was distinctly stated that the proposals for the establishment of Local Self-Government were to be applied to English and Welsh Counties, whereas the financial changes were to be applied to the whole of Great Britain. He fancied, therefore, there need be no difficulty in separating the one from the other. The reason why he was anxious to press the matter upon the Government was because the Prime Minister himself, at the beginning of the Session, had reiterated the statement, in language of solemn promise, that the Session should not be allowed to pass without seeing this measure introduced. The leading newspaper of the day, however, evidently knew more of the capabilities of the Prime Minister than he did himself, for the day after the speech was delivered it characterized the proposal as one that would probably not be realized, but would be as fugitive and as evanescent as a dream. The result of the statement of the Government showed the truth of the maxim, *Parturiunt montes, nascetur ridiculus mus.* The whole question of Local Government and Taxation had now been put off. He extremely regretted that this had been done, and he still hoped it was not too late to undo it. Even if a Bill were introduced into that House and thrown out, the Government would be no worse off than they were at present; while it was possible that the suggestions thrown out would be of great value in a subsequent Session. On the other hand, if the measure passed that House, time might possibly allow of its being dealt with by the other House of Parliament. He felt bound to take this opportunity of protesting against the practice of not submitting to their Lordships measures which were of the utmost importance to them until the end of the Session, when discussion was impossible. Unless Her Majesty's Government desired to reduce that House to the position of a tribunal for registering the decrees of the other House, he thought they ought to propose for the consideration of their Lordships the measure which was already in a pigeon-hole at the Local Government Board.

LORD CARRINGTON said, his noble Friend had anticipated the answer which he had to make. The Resolution recommending the establishment of a County Board was carried without a division. Her Majesty's Government had hoped to bring in a Bill this Session dealing with the whole question; but, unfortunately, the Prime Minister had been obliged to postpone the Bill. He was authorized to state that, as the measure dealt entirely with Local Taxation, it was impossible to introduce it in their Lordships' House.

JUDICATURE ACT, 1876 — THE APPELLATE COURT.

QUESTION. OBSERVATIONS.

EARL CAIRNS, in rising to ask Her Majesty's Government, Why it is that no judicial appointment has been made under the Act of 1876 consequent on the death of Sir James Colvile and the resignation of Sir Montague Smith? said, he wished briefly to explain why he put the Question. Their Lordships would, perhaps, remember that several years ago, when the business of the Judicial Committee of the Privy Council was very much in arrear, an Act was passed authorizing the appointment of four paid Judges of the Judicial Committee. Some years afterwards, when the question of the Appellate Jurisdiction was under consideration, a proposal was made, and accepted by Parliament, that the whole of the appellate business—both that which had previously gone before the Judicial Committee of the Privy Council and that which came before their Lordships' House—should in future be disposed of by one Court of Appeal, and that the Judicial Committee and the appellate jurisdiction of that House should come to an end. This arrangement, again, was the subject of alteration and legislation in 1876, and the two appellate tribunals were continued. It was considered, however, that, although Parliament was not prepared to amalgamate the two jurisdictions, there would be a great advantage in having the two tribunals, as far as conveniently could be done, composed of the same Judges. By that means, although there would not be a single tribunal, there would be great similarity, if not identity, in the principles of the decisions. Power was given to appoint, in the first instance, two Lords of Appeal, with salaries, and holding peerages for life. Then it was provided by the same Act of Parliament that, as soon as two of the four paid members of the Judicial Committee died or resigned, a third Lord of Appeal might be appointed; and again, in the same way, if the remaining two members died or resigned, a fourth Lord of Appeal might be appointed. Therefore, in the result, there would be four Lords of Appeal in that House with salaries and life Peerages. The same Act of Parliament provided that the Lords of Appeal, whether two, three, or four in number, should, as far as the Business of that House would permit, sit on the Judicial Committee of the Privy Council. In this way there would be in the first instance, and still more when there were four Lords of Appeal, almost an identity in the composition of the two tribunals. Several months ago the country was deprived, by death, of the valuable services of Sir James Colvile, and since then a further loss had occurred by the resignation of Sir Montague Smith. It was very desirable that the Judicial Committee should be as strong as possible, the appeals which came before it being of great importance, involving, as they did, property of great value and large amounts, and also Constitutional questions. But at present the composition of the Judicial Committee was not at all satisfactory, although he wished to speak with the greatest respect of the eminent persons who sat upon it. Sir Barnes Peacock had had no judicial experience in this country, and his connection with the Bar was not of old standing. Another member of the Judicial Committee was Sir Arthur Hobhouse, who had never filled any judicial office. The only member of the Committee who had filled a high judicial post in this country was Sir Robert Collier, who, as would be remembered, had been on the Bench for a very short time. He never remembered a time before when the Judicial Committee had only one member who had filled high judicial office. He did not think that was a satisfactory state of things, especially in regard to our Colonies. Appeals from decisions of Judges of high eminence were heard by the Judicial Committee, which thus became one of the strongest bonds between the Colonies and the Mother Country. He wished it to be understood that he did not admit that the Government had any discretion in the matter. It was quite true that the words of the Act were that, in the circumstances which had arisen, the Crown "may" appoint a Lord of Appeal. But it was perfectly clear that when a public duty had to be performed words in themselves permissive carried with them an obligation from which the Government could not recede. Though the words were permissive, it could not be supposed that the Government had any discretion in filling up the vacancy. When Parliament had once expressed clearly what the Judicial Services of the country should be, that Service must be kept up. There was no option in the matter. There was one case in which a discretion might be exercised by the Government, and that was if the Government were about to submit a measure to Parliament for making some alterations in the constitution of the Courts; but when they were not going to do that, he considered that they had no choice but to make the appointment and fill up the vacancy. He hoped the Government would make the Judicial Committee as strong as it could be made, and that an assurance would be given by his noble and learned Friend that the office would be filled up without delay.

The LORD CHANCELLOR said, that his noble and learned Friend was perfectly accurate in his statement of the terms of the Act of Parliament. He could not entirely agree with him in the concluding part of his observations, as to the nature of the power given to the Crown by the words of the Act, and the obligations of the Government with regard to an appointment of this kind. But his noble and learned Frend must not conclude that the Government were not going to fill up the vacancy. The Government were going to fill it up. The only question was as to the manner in which that should be done. He demurred to the statement of his noble and learned Friend that because the Act created salaried Judges, the word "may" ought of necessity to be read as "must," and that immediately on the happening of a vacancy the Government were under an obligation to appoint a salaried Judge to that vacancy. Suppose the Government had the advantage in the Judicial Committee not only of the services of the eminent persons who ordinarily served there, but also of other Judges who had retired from the Bench after long experience, in full possession of their powers and willing to give their assistance. In those circumstances, with all deference to his noble and learned Friend, he did not think it would necessarily be the duty of the Government to create an additional Judge, unless he was really wanted. That was, in point of fact, the view of the Head of the Government. His right hon. Friend was quite prepared to perform the duty of appointing a new Law Lord upon the occurrence of these two vacancies; but he desired, first, to be satisfied that the circumstances made it necessary, for the proper and satisfactory administration of justice, to impose that additional charge upon the country. Now, at the time when the vacancies referred to took place, the state of business before the Judicial Committee was not such as to make a new appointment urgently necessary, but it admitted of time being taken for the consideration of the matter. The arrears had been kept down, and the business before the Privy Council was much less than in former years. In January last, assistance had been given by Lord Blackburn and Lord Watson, and again, occasionally, since Parliament met, by these learned Lords and by himself and by Mr. Justice Hannen; therefore, looking at the state of business at the time referred to, it did not appear to him that the question then required immediate decision. As regarded the Judges who now sat at the Privy Council, he quite agreed as to the great abilities, merits, and services of those learned persons; and he thought there was no reason to doubt that the manner in which they discharged their duties had given satisfaction to the suitors. It was true that the only salaried Judge there who had filled a judicial office in this country was Sir Robert Collier; but two of the other Judges, who now ordinarily sat in that tribunal had filled judicial offices, and had considerable experience in India. Though Sir Arthur Hobhouse had never had a seat on the Judicial Bench, he was admirably qualified, by his learning and experience and practice at the Chancery Bar in this country, for the position which he now filled at the Privy Council. It should be remembered that Sir James Stephen also left his practice at the Bar in England and went to India, and when he returned to this country his noble and learned Friend did not think that he was otherwise than well qualified to discharge the duties of a Judge of the High Court and properly fill that eminent position, and he (the Lord Chancellor) could say the same of Sir Arthur Hobhouse; therefore, the circumstances which had been referred to had not left any doubt in his mind that the legal business, both in that House and before the Judicial Committee, had been, and was being, well and efficiently performed. He was, at the same time, quite sensible of the advantage of strengthening the permanent and salaried element in the Judicial Committee; and there were, at the present moment, circumstances connected with the state of the business in the Appellate branch of the Supreme Court which made this appear to be the proper time for doing so. He thought it was proper to state his intention before long to submit a measure which he hoped would not lead to much difference of opinion, and would strengthen the Court of Appeal, and prevent those occasional emergencies which had sometimes arisen. His noble and learned Friend was aware that the Act of 1875 gave the power from time to time of borrowing Judges from the Courts of First Instance. But that power was fettered by a very inconvenient condition, preventing it from being used in Assize time, which he hoped to remove. He also thought it would be desirable to give to those Members of that House, or of the Judicial Committee, who might be qualified by judicial service in the Supreme Court, or in the Courts out of which it had been formed, on the request of the Lord Chancellor, and if willing to do so, to assist at any time in the Court of Appeal. In that manner the Lord Chancellor might sometimes be able to arrange the business of the Appeal Court in a more satisfactory manner. These alterations would be proposed, and they appeared to him to be desirable. It was also desirable that the existing vacancy should be filled up by a learned Judge, who should be at once a Member of the Judicial Tribunal of their Lordships' House and of the Privy Council. He would undertake to say that that would be done as soon as the deliberations necessary as to the proper person to be so appointed were completed.

LORD COLERIDGE said, he felt great pleasure at the latter part of the statement of his noble and learned Friend on the Woolsack. He wished to make a remark with reference to the present Court of Appeal. At this moment that was the only part of the judicial system which was not working altogether satisfactorily. That was due to a want of strength, not in the quality, but the number of the Judges. The Court of Appeal at Westminster was the only Court which had any considerable amount of arrear, both in point of numbers and also in what was more important, time. By the reduction made in the Common Law by abolishing the two great offices of Lord Chief Justice of the Common Pleas and Lord Chief Baron, the number of *ex-officio* members of the Court of Appeal had been diminished. The effect was that if any one of the ordinary Judges was incapacitated, even for a few days, from illness the Court must cease to sit, except for interlocutory business, unless it could procure the assistance either of his noble and learned Friend on the Woolsack, Sir James Hannen, or himself. Both his noble and learned Friend on the Woolsack and Sir James Hannen had a great deal to attend to besides sitting at the Court of Appeal; and, as regarded himself, he could say that he never sat in that Court without some inconvenience. In the present satisfactory state of business in the High Court that inconvenience was not so great as formerly; but still some inconvenience did attach to the performance of that duty. He felt sure, therefore, that the Profession would hail with great satisfaction any measure proposed by the Government which would enable a number of Judges to supply the places of those who were temporarily incapacitated by illness from performing their duties in the Court of Appeal.

PETTY SESSIONS (IRELAND) BILL [H.L.]

A Bill to amend the Petty Sessions (Ireland) Act, 1851—Was *presented* by The Viscount LIFFORD; read 1ª. (No. 89.)

CANAL BOATS ACT (1877) AMENDMENT BILL [H.L.]

A Bill to amend the Canal Boats Act, 1877—Was *presented* by The Earl STANHOPE; read 1ª. (No. 90.)

IMPRISONMENT FOR CONTUMACY BILL [H.L.]

A Bill to amend the Act third and fourth Victoria, chapter ninety-three, respecting imprisonment for contumacy in Ecclesiastical Causes—Was *presented* by The Lord Archbishop of CANTERBURY; read 1ª. (No. 91.)

House adjourned at a quarter before Six o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 11th May, 1882.

The House met at Nine of the clock.

MINUTES.]—PUBLIC BILLS—*Leave—Ordered—First Reading*—Prevention of Crime (Ireland) [157]; Sea Fisheries (Ireland) * [158]
Further considered as amended—Judgments (Inferior Courts) [44]
Third Reading—Consolidated Fund (No. 3) *, and *passed*, with a New Title.

QUESTIONS.

LAW AND POLICE—GUN LICENCE ACT, 1870—USE OF REVOLVERS.

SIR JAMES LAWRENCE asked the Secretary of State for the Home Department, Whether, having regard to the increased use of revolvers in the public streets, he will consider as to the propriety of directing the attention of magistrates and the police authorities to the provisions of the Act of Parliament, 33 and 34 Vic. c. 57, and especially to Sections 2 and 7 of such Act, by which it is enacted that

"Every person who shall use or carry a gun, or other firearm, elsewhere than in a dwelling

> house or curtilage thereof, without having in force a licence duly granted to him under this Act, shall forfeit the sum of ten pounds;"

and, whether he is aware of the ignorance prevailing as to the scope of the Act, and will take steps for making it generally known that the Act (Gun Licence Act, 1870) extends to all parts of the United Kingdom, including Ireland?

Sir WILLIAM HARCOURT, in reply, said, that the Question was really chiefly an Excise matter; but he quite agreed with his hon. Friend that more attention ought to be paid to the prevalence of such a practice. He promised that steps would be taken to see that this was done in Ireland as well as in other parts of the Kingdom.

STATE OF IRELAND—THE "UNITED IRELAND" NEWSPAPER—SEDITIOUS LANGUAGE.

Sir WALTER B. BARTTELOT asked Mr. Solicitor General for Ireland, Whether his attention has been called to the following paragraph, which appeared in the "United Ireland" of Saturday, May the 6th:—

> "The rats in the Castle cellars had better beware of rat traps; the vermin are going to have a bad time of it;"

and, who are the registered or known proprietors of this journal?

The SOLICITOR GENERAL for IRELAND (Mr. Porter): My attention has been called to the article in question, and it has also been considered by the Attorney General for Ireland. It is not believed that the article was intended to convey, or that it really did convey, any threat; but was merely a rough and coarse commentary on the expected changes in the Administration at the Castle. I am unable to say who are the present registered proprietors; but I know that in August last it was registered in the names of seven persons, whose names have already been given in this House, and which I can repeat if desired. [*Cries of* "Repeat!"] They were Mr. Patrick Egan, Mr. Charles Stewart Parnell, Dr. Joseph E. Kenny, Mr. J. G. Biggar, Mr. W. O'Brien, Mr. Justin M'Carthy, and Mr. Richard Lalor.

STATE OF IRELAND—SEDITIOUS PLACARDS—COUNTY WICKLOW.

Mr. BERESFORD asked Mr. Solicitor General for Ireland, If his attention has been called to the subjoined placard, which has been extensively posted in the district of Baltinglass, county Wicklow:—

> "To the People of Donard and Surrounding Districts.
>
> "Any one who will speak to an emergency man, or deal with or go into his house, is a traitor to his country.
>
> "Those men who are having their work done at Dowling's forge are unworthy of the name of Irishmen. They should be avoided.
>
> "James Lambe, Pat and Will Brine, of Coolamadra; Larry Rielly, Snugborough; Pat Murphy, Fryenstown; Ben Case, Spynans; Myles Doody, Cyle.
>
> "The abovenamed are in the habit of visiting Peggy Plant's publichouse. They will be looked after in future.
>
> "O'Connor, of Donoughmore, should be lynched.
>
> "Let no one take bread from Firm, of Inchiquire, whilst he continues to supply Peggy Plant.
>
> "Baker, of Dunlaven, supplies Boycotts. Let the shopkeepers of Donard and Stratford discontinue their dealings with him.
>
> "John Allen, Donard, is a man of the same stamp. Keep out of his house.
>
> "William Cullen, Castleruddery, is the only man who made any sacrifice in the country's cause. Let all true Irishmen rally round him and show their appreciation of his noble conduct by giving him their best support.
>
> "Away with Foreign Rule.
> "God Save Ireland;"

and, whether anyone has been arrested?

The SOLICITOR GENERAL for IRELAND (Mr. Porter): Yes, Sir; I have seen the placard referred to in the Question. It was secretly posted, and it has been taken down by the police wherever found. They have been directed to afford all practicable protection to the persons named in the placard. No arrests have yet been made in connection with it.

STATE OF IRELAND—SPEECH OF THE REV. MR. O'BOYLE.

Mr. H. S. NORTHCOTE (for Mr. Chaplin) asked Mr. Solicitor General for Ireland, If his attention has been called to the report of a speech in the "Northern Whig" of Saturday, May 6th, attributed to the Reverend Mr. O'Boyle, P.P. of Saintfield, county Down, at a meeting in St. Mary Hall, Belfast, in which, among other things, he is reported to have said—

> "As for Dublin Castle, they might burn it any time. It was a nest of vipers. It would be well for Ireland if it were burned to-morrow;"

and, whether the Government intend to take any steps in the matter?

The SOLICITOR GENERAL for IRELAND (Mr. Porter): I have referred to the newspaper mentioned in the Question; and I have reason to believe that the report which it contains of this very reprehensible speech is substantially correct. I have no doubt my right hon. and learned Friend the Attorney General for Ireland will make it his business, as soon as the pressure of more urgent affairs will permit, to consider the matter.

STATE OF IRELAND—OUTRAGES BY "MOONLIGHTERS."

Sir BALDWYN LEIGHTON asked Mr. Solicitor General for Ireland, Whether his attention has been called to the following paragraph which appeared in the "Morning Post" of May 9th:—

> "Outrages by 'Moonlighters.'—Three shots were on Saturday night fired into the bedroom of the Rev. John Gilmour, a Presbyterian minister and a landlord, residing near Omagh, who has had disputes with his tenants. Mr. Gilmour escaped uninjured. This is the first attempt at agrarian murder in Tyrone. Another 'Moonlight' outrage is reported from Coachford, Cork. It appears that on Saturday night four shots were fired into Derreen House, the residence of Miss Crooke. The shots were fired into the bedroom of Mr. Simon Crooke, who had remained up reading. The shutters were not closed, and the ruffians must have fired from a height, as the shot was lodged in the bedclothes and door;"

and, whether anyone is in custody for these outrages?

The SOLICITOR GENERAL for IRELAND (Mr. Porter): I have communicated with the Constabulary authorities in Ireland in reference to these outrages. I find that in the case of the Rev. John Gilmour the matter has been a little exaggerated. One shot was actually fired, but no one was injured; and it is clear there was no attempt at murder, though there was at intimidation. In the case of Miss Crooke, three or four shots were fired into her house. In each case the police have made every endeavour to discover the perpetrators; but, so far, without success.

STATE OF IRELAND—EMERGENCY MEN AT ATTANAGH.

Mr. MARUM asked Mr. Solicitor General for Ireland, Whether his attention has been called to the action of certain emergency men or caretakers at Attanagh, in the Queen's County, who have thrown down and levelled the dwelling-house of the widow Byrne of Raheenduff, who, having been evicted by her landlord Mr. Brady of Myshall, in the county Carlow, is now awaiting the promised legislation as to arrears of rent with the view to redeem her holding; and, whether the peace of the locality is endangered by these proceedings?

The SOLICITOR GENERAL for IRELAND (Mr. Porter): The tenant in this case was evicted for non-payment of rent, three years' arrears being due to the landlord. The roof of the dwelling house was removed, and the outhouses were levelled. No interest whatever has been manifested in the neighbourhood at the proceedings in question, and the peace of the locality has not in any way been disturbed.

CRIMINAL LAW (IRELAND)—RELEASE OF MR. MICHAEL DAVITT.

Mr. LEWIS asked the Secretary of State for the Home Department, Whether Michael Davitt has been released on a simple ticket of leave, or whether his release has been accompanied with the expression of any intention on the part of the Government to advise Her Majesty to grant him a full pardon?

Sir WILLIAM HARCOURT: No, Sir; no such intention has been expressed as that intimated in the Question of the hon. Member.

CONTAGIOUS DISEASES (ANIMALS) ACT—FOOT-AND-MOUTH DISEASE.

Mr. DAWNAY asked the Vice President of the Council, Whether his attention has been drawn to the serious outbreak of foot-and-mouth disease in the North Riding of Yorkshire during the past month, and to the fact that the disease has in all cases broken out amongst cattle and swine imported direct from Ireland, and purchased at the York fortnightly markets; and, whether he will cause inquiries to be made with a view to ascertaining at what point on the route from Ireland the infection may have been contracted, and taking steps to prevent the further spread of the disease?

Mr. MUNDELLA: I am assured that there has been nothing unusual in the character or extent of the outbreaks of foot-and-mouth disease in the North Riding. The number of outbreaks during the present year is nine. In most cases they have been traced to cattle brought from York Market. As Irish cattle, after landing, are treated the same as English and Scotch cattle, and taken to all the large markets in the ordinary course of trade, it is impossible to discover where the animals in question became infected. We are, however, quite satisfied the disease was not imported from Ireland, that country having been free from it for the past two years.

EGYPT (POLITICAL AFFAIRS).

Sir H. DRUMMOND WOLFF: I beg to ask the hon. Baronet the Under Secretary of State for Foreign Affairs, What steps have been taken for the protection of British interests in Egypt in view of recent events?

Mr. ASHMEAD-BARTLETT: Before the hon. Gentleman answers that Question, I would like to ask whether, in view of the disturbed condition of Egypt, Her Majesty's Government will not invite the Sultan, as Sovereign, to check the revolution in that country?

Sir STAFFORD NORTHCOTE: I intended also to ask the hon. Baronet, whether he could give us any information as to the news which is in the papers as to the present condition of the country; and, also, whether he could say anything as to the proposed policy of Her Majesty's Government?

Sir CHARLES W. DILKE: It is impossible for me to make any statement at present on the question of policy. During the present day, since an immediately threatening aspect has been assumed by Egyptian affairs, the state of that country has been the subject of communications between the English and French Governments. Her Majesty's Government has communicated with the French Government on the matter. The right hon. Member for Ripon (Mr. Goschen) has given me private Notice of a Question with regard to measures for securing life and property in Egypt, which, of course, is the most immediate and pressing matter. It is on that point that we have communicated with the French Government; but I can make no further reply to the Question of the hon. Gentleman the Member for Eye (Mr. Ashmead-Bartlett) with regard to our policy in Egypt.

Sir H. DRUMMOND WOLFF: I wish to ask, whether, under the very urgent circumstances of the case, the Government have not, without reference to France or any other Power, taken steps to protect British life and property?

Sir CHARLES W. DILKE: The French Government is quite as prepared as ourselves, and there has been no loss of time in consequence of the communications which have taken place between the two Governments.

Sir H. DRUMMOND WOLFF: Has nothing been done?

Sir STAFFORD NORTHCOTE: I beg to give Notice that I shall to-morrow put a Question to the hon. Baronet the Under Secretary of State for Foreign Affairs on this subject.

Sir H. DRUMMOND WOLFF: I wish to ask whether nothing has yet been done?—["Oh, oh!"]—and I most respectfully insist upon an answer. ["Oh, oh!"] If the Question is not answered, I shall submit a Motion. ["Oh, oh!"]

Mr. SPEAKER: If the hon. Member desires to put a Question, he has a perfect right to do so; but as to insisting upon an answer, I have only to say that that is what he has no right to do.

Sir H. DRUMMOND WOLFF: Then I shall be compelled to conclude with a Motion. No clamour will put me down. I most respectfully ask the Under Secretary of State for Foreign Affairs, whether any steps have been taken for the protection of life and property in Egypt; and, in order to enable him to answer that Question, I beg to move that the House do now adjourn.

Sir CHARLES W. DILKE: Sir, I understand the hon. Member to conclude with a Motion; but as that does not seem to have reached your ears, perhaps I was mistaken, and perhaps I may be allowed to answer the Question. I have already stated—in fact, I volunteered the statement before I was pressed upon the subject—that the protection of both life and property was the most pressing matter in connection with the present state of things in Egypt, and that it had engaged the immediate attention of Her Majesty's Government, and that no delay in regard to it had been caused by the French Government, although communications had taken place. I think hon. Members can read within the lines of the statement; and I may add that Her Majesty's Government have not received up to the present time from Sir Edward Malet any request for the immediate sending of assistance.

Mr. ASHMEAD - BARTLETT: I wish to know whether we are to understand that the Government have not communicated with the other Powers, but only with France; and, also, whether we are to understand that they have not communicated with the Porte?

Sir CHARLES W. DILKE: The other Powers, including the Porte, will be informed of the steps taken on this subject.

Sir STAFFORD NORTHCOTE: When?

Sir CHARLES W. DILKE: To-day.

MOTIONS.

PARLIAMENT—ORDERS OF THE DAY.

MOTION FOR POSTPONEMENT.

Sir WILLIAM HARCOURT: I rise, Sir, to move—

> "That the Orders of the Day be postponed until after the Notice of Motion for leave to bring in a Bill for the Prevention of Crime in Ireland."

Sir HENRY TYLER: Mr. Speaker—

Mr. SPEAKER: I have to point out to the hon. Member that the Amendment of which he has just given Notice is not in Order, inasmuch as it is not relevant to the Motion to which it refers. This is a Motion confined to the order of Business, and if the hon. Member proposes an Amendment confined to the order of Business, he will be in Order; but the Amendment of which he has given Notice is not in Order.

Sir HENRY TYLER: I hope the House will allow me to say that since I gave Notice of my Amendment I have had some earnest appeals made to me to postpone it. Therefore, whilst feeling very strongly the truth of the words contained in that Motion, that I will do so; but I must ask the right hon. Gentleman whether he will give me a future day for it?

Motion *agreed to.*

Ordered, That the Orders of the Day be postponed until after the Notice of Motion for leave to bring in a Bill for the Prevention of Crime in Ireland.—(*Secretary Sir William Harcourt.*)

PREVENTION OF CRIME (IRELAND) BILL.

MOTION FOR LEAVE.

Sir WILLIAM HARCOURT: I think the House is aware, Sir, why, in the absence of the two foremost men who sit upon this side of the House—men on whom has fallen not only the weight of public sorrow, but that of private grief — the task has devolved upon me to bring to the attention of the House this grave matter. I have much need to ask the indulgence of the House in the endeavour to discharge the difficult duty at a time when I feel, I am bound to say, more than usually unequal to it. I think, Sir, that upon this sad and solemn day, on which you—attended, I believe, by a majority of the Members of this House—have paid a signal tribute to the memory of a noble and generous life, which was lost in the service of his Queen and of his country—I believe, Sir, that on this day Her Majesty's Government would ill respond to the sentiments of this House if they approached this momentous subject in any other than a sober and a chastened spirit. I believe that these times, and those to come after us, will regard with respect and with admiration the temper in which this nation has confronted the blow, which it has felt to be not only a public calamity, but a national disgrace. And those, Sir, who are responsible for the conduct of affairs in England have only to imitate the example of her people in that dignified self-restraint, remote alike from the temper of revenge, from the spirit of panic, and from the impulses of passion. The task which we have before us is to heal a great and desperate wound; and, if I mistake not, there never was a moment so favourable as the present for that healing process. I believe that the sentiment of the Three Kingdoms under the rule of the Queen never beat more in unison than they do beat now in mutual sympathy with the same sentiment and a common sorrow. So far as I know, I think there can be none so unjust or wicked enough to doubt the sincerity of the indignation of the Irish people at a crime which has sullied their soil. All sorts and conditions of men in that country—without distinction of Party or of creed—have combined together to denounce this atrocious deed and its authors; and this House, I believe, has faithfully represented the spirit of the nation when, in the dark eclipse by which we are overshadowed, the din of controversy has for a time been hushed, and the clash of contending parties has been suspended. Sir, if ever there was a time when we could approach any Irish question with a temperate and wise spirit—questions which have often been the battle-field of discord and contest—on which we can approach them in a spirit of conciliation and goodwill—I believe that time is to-night. Between the Irish nation and the people and the Government of the United Kingdom there is, and there can be, no quarrel. That the heart of the mass of the Irish people is sound, the voice that comes to us now from every Province of that land amply testifies. But we must not subject ourselves to any illusions in this matter. The deed at which we shudder to-day is not of an isolated character. Though the body of Ireland is sound, there is a fearful plague-spot upon it. I firmly believe that the Irish, no less than the English, nation desires that that plague-spot should be removed. There is, Sir, a cancerous sore in Ireland. The House will anticipate what it is of which I am about to speak, what it is that corrodes and corrupts Ireland's healthy frame. It is the sore which springs from the baneful venom of secret societies and unlawful combinations. To that foul disease it is necessary that the surgeon's knife should be applied. We have to cauterize and to extirpate it; and it is to that most serious subject that I have to ask the attention of the House to-night. It is not necessary that I should attempt any laboured proof of the existence of this pernicious evil. This poison that courses through the veins of the Irish social system is revealed in its effects. It breaks out into deeds which are alien altogether to the nature and genius of the Irish people—a people generous, warm-hearted, impulsive; excitable, perhaps, but who are not barbarous, nor cruel, nor savage in their nature. If that be so, what is the history of these midnight outrages and these daylight assassinations, these murders of undefended women and noble men? That is not the work of the mass of the Irish nation. They shrink from such deeds with horror, with dismay, aye, and what is still worse, with terror. These felon and miscreant deeds are the work of secret gangs, of nocturnal conspiracies, of hired assassins. It is with these foul excrescences upon the Irish nation, which,

> "like a mildew'd ear,
> Blasts its wholesome brother,"

that we have to deal, and to them I have to call the attention of the House to-night. It is these things which have brought us to the sorrow and shame which is upon us to-day; and with them it is the duty of all of us to grapple; and I think and believe that the Irish people and their Representatives will feel that to them, foremost of all persons, that duty belongs. The lot has fallen upon me of laying the views of Her Majesty's Government upon this subject before the House. It is not a grateful task; but in these days of difficulty and peril every man must perform, as well as he can, the duty which may devolve upon him, and I hope I shall have the patience and indulgence of the House. I regret the absence to-night, not only of those right hon. Friends to whom I have already alluded, but also that of another hon. Friend—the present Chief Secretary for Ireland. He is unable, from causes well known to the House, to be present here to-night. I wish to say that he has gone to Ireland with the spirit of a man who knows that the post of difficulty and danger is the place of honour. He has gone to Ireland with the same spirit which animated the noble breast which you, Sir, have assisted in laying in the grave to-day; and Lord Frederick Cavendish has bequeathed to his Successor that flag of conciliation and of peace which was intrusted to him by the Government. But I shall best discharge the duty which has fallen upon me if I endeavour, as plainly and as simply as possible, to lay before the House the nature of the evils with which we have to deal, and the remedies which the Government are prepared to recommend to the House to adopt for them. I have said that, in our judgment, the great source and origin of these mischiefs is to be found in those secret societies and unlawful combinations which have made the operation of the ordinary law insufficient for the protection of life and property and the punishment of crime; and that statement will constitute the Preamble of the Bill which I shall ask leave to introduce. The first and the greatest of all evils in society is insecurity in the punishment of crime. Everybody knows that there exists a terrorism, a state of terror in Ireland, which has prevented juries from acting upon the evidence placed before them and according to their true convictions. That is the first evil with which we propose to deal, for such a state of things as that is calculated to undermine the very foundations of society. The ordinary juryman—we can hardly wonder, we can, perhaps, hardly blame him—wants the firmness to meet the pistol which is levelled at his back, the dagger which is levelled at his breast, the rifle which is fired into his house by night. We cannot allow justice to be paralyzed in this way; we cannot allow the retribution for crime to be baffled and defeated in this manner. [*Laughter from the Home Rule Benches.*] I hear laughter from certain quarters of the House; but, Mr. Speaker, this is no longer a laughing matter; it is a most serious one—one of the most serious that this House could be called upon to consider. The main cause of crime is the expectation of impunity—an expectation which in Ireland, at this moment, is too well founded—an impunity which is founded upon terrorism and its consequences. That being so, on those occasions and in those parts of Ireland in which it is impossible to find tribunals which can do justice and secure the punishment of crime, it will be necessary to find some body that shall have the firmness and authority to assert the law and lead to its just execution. The Government have come to the conclusion that it is necessary to create in Ireland for those occasions and in those places in which the ordinary law cannot operate a special tribunal. Then arises the difficult question—how is that tribunal to be constituted? Where are you to find the person capable of bearing so great a burden, so heavy a responsibility, and who will inspire confidence in the country? [Mr. HEALY: Hear, hear!] In 1833, on the occasion of the Tithe War, when a condition of things arose very similar to the present, the Parliament of that day erected military tribunals. The Government have considered that solution of the difficulty, and have rejected the idea. It has been suggested that tribunals of this character might be formed of persons gathered here and there, either from Ireland or from England, or from inferior stations; but, on consideration, we believe that a tribunal so constituted could not bear so heavy a responsibility. Well, where are we to look for a tribunal which could give confidence, and which could bear this burden? The Government have come to the conclusion that this responsibility could be nowhere cast except upon the highest and most responsible persons—the guardians of the law in Ireland. The Judges of the land, as a body, are the only persons who have the knowledge, who possess the authority, which is adequate to bear such a responsibility. I admit that it is an arduous and invidious—it may be, a dangerous—duty. [An hon. MEMBER: No!] But, whether it be so or not, in my opinion, it is necessary to redress the balance of justice; if it is necessary to secure the safety of the State, we have a right to appeal with confidence to the patriotism of the Judges of Ireland. Indeed, I hardly like even to suggest, if Parliament were of opinion that that was a proper tribunal, that there would be no disinclination to accept responsibility; and if, in these days, any man in a public situation declined responsibility, why, then, we may indeed despair of the future of Ireland. Well, that being the nature of the special tribunal, we propose that, where the Lord Lieutenant is of opinion that a just and impartial trial cannot be had of persons charged with the following offences—treason, murder, attempt to kill, or with other crimes of aggravated violence, and attacks upon dwelling-houses—the Lord Lieutenant may, out of the body of Judges of the Supreme Court, appoint a Special Commission, in the first instance, consisting of three Judges. The Lord Lieutenant will be at liberty, of course, to select—probably from a rota—and send a direct Commission of three Judges. The Court will sit without a jury. They will decide the questions both of law and of fact, and their judgment shall be unanimous. Well, then, in order to give every security and confidence to this tribunal, we give in all these cases an appeal to the Court of Criminal Cases Reserved—I believe that is what it is called in Ireland—at all events, it is a body consisting of the residue of the Judges of the Supreme Court. I believe that the ordinary quorum of that Court is five Judges, and upon the appeal the judgment will be by a majority of the Court; so that you will see that no man can be convicted, under these circumstances, without the assent of six Judges—three in the Court below, and three in the Court above. Well, we have another security. There will be an official shorthand writer, and the notes will go to the Court above; but the Court above may, if they think fit, hear other evidence and call other witnesses; so that, in point of fact, at their discretion, they may have a re-hearing of the case, and thereupon the Court above may either affirm the sentence of the Court below or they may alter the sentence—that is to say, in the way of diminution and not of increase. There are other details with reference to that Court which I need not enter into now; but I may mention that, of course, Parliament will be asked to provide a proper remuneration for the work cast upon the Judges in this matter. Now, we saw ourselves compelled to seek for a special tribunal in these extraordinary circumstances, and we have endeavoured to find the best, the strongest, and the most impartial Court that we thought we could provide. That is the first part of our Bill. It is the part which is intended to secure the punishment of crime, which has, to a great degree, ceased to exist in consequence of the terrorism exercised on juries. Now I come to the second part of the Bill, and that I will describe as a provision not to punish crime, but to prevent crime, to anticipate the action of the criminal. These provisions are meant to defeat—if we can, or rather, I would say, to defeat, as we intend—the plots of those secret societies and their agents, those black conspiracies, those murderous deeds, which, as perhaps everyone knows, are prepared in nocturnal conclaves, which take place in the lairs, I may call them, rather than the homes, of these savage men. It is necessary to have the means of detection before the deed is done; and the clauses I am now going to refer to are not to be of general operation, but are to be in operation in districts which are to be proclaimed for the purposes of this Act. They will not be the proclaimed districts which belong to the former Act; but they will be proclaimed specially with reference to this Act. The first of these provisions is one, I think, that the House will see is most necessary. It is a power to search for the secret apparatus of murder, for the daggers, for the documents, for the threatening letters, for the crape masks which are hidden, and which the police cannot reach; and unless the police have the power to enter houses and look for them the persons who make use of these apparatus possess practical immunity. This clause of search—which will be pointed directly to these secret societies, these unlawful combinations—will be practically the clause of the Act of 1870. The search will take place by day or by night; and by night it will be more necessary. It will be under the guarantee of the warrant of the Lord Lieutenant, in that case granted for a certain period. It will not be granted by the local magistrate, but by the Lord Lieutenant; and there will be the further security that it can be executed only by the Inspector or Sub-Inspector of the constables who assist him. The next provision for the detection of criminals, for the prevention of crime, is a clause for the arrest of persons who can give no account of themselves and are found prowling about at night. There will be a power to take these persons before a Justice, and the Justice, if not satisfied, will remand the case to the Petty Sessions. If a person can give no account of himself, then he will be guilty of an offence under this Act; and I will ask the House to bear this in mind, because the offences under this Act will come within the powers of the summary jurisdiction, to which I will later refer. Well, another power, which is very necessary, and which will operate by day as well as by night, is the arrest of strangers. It is well known that these deadly deeds, these murderous attacks, are not made by the residents in the place. They are not made by the men in the counties. The men are hired from a distance to do these deeds. They are not known to the police or to anybody about. They come to commit murder; they disappear as they have come. We propose to take power to arrest such persons and call upon them to give an account of themselves. There is another power which we think it is necessary to take. It is well known to this House that much of this deadly work is performed by foreign agents. We know that abroad there is open advocacy of murder, of arson, of explosions of dynamite. We know that subscription lists are open for the assassination of men in public stations by name. Well, every country has a right to judge of the terms upon which it will admit foreigners within its borders. It is not for the emissaries of O'Donovan Rossa that the hospitality of England is offered. In my opinion, it is necessary for the public safety that a power of removing foreigners who are dangerous to the safety of society here should be taken in respect of Ireland. The exercise of that right is one of which no nation has any title to complain; and we propose, therefore, in respect of Ireland, to revive the Alien Act. These are the measures of prevention by which we propose to anticipate crime and forestall the foul deeds of criminals. Now, there is another root of this evil with which we must deal, and that is the instigation, public and private, of these criminal practices. Before these secret societies are formed the soil must be prepared in which they are planted. There must be *pabulum* in the minds of the people on which they are to feed; and we consequently must have some method for dealing with the modes by which this evil is created. Now, of course, the most important point in this matter is that of unlawful associations—those secret societies, those illegal combinations from which that evil springs. And we propose, first of all—and that is the most important part of the measure—that they shall be dealt with summarily, and membership in and participation in the acts of these secret societies will be an offence under the Act. The next thing which, in our opinion, it is necessary to deal with are offences such as riots, which cause intimidation, such as aggravated assaults, assaults on constables, process-servers, and other ministers of the law. These are likewise to be summarily dealt with, so that the punishment of those offences may be secured. Then I come to one, which is a most important element in restoring the operation of the law. We must deal with the question of intimidation. There will be in this Bill a clause — a very wide clause—in regard to intimidation, for which, also, the punishment will be summary, and I trust it will be found an efficient clause for that which has done more to demoralize society in Ireland probably than anything else. Then there must be, if tranquillity is to be restored in Ireland, a power to deal with unlawful meetings, which are dangerous to the public peace and the public safety. Power will be given to the Lord Lieutenant to act in this matter; and offences against the orders which he will be authorized to make will also be summarily dealt with. There is yet one other fertile means of debauching and demoralizing the public mind with reference to these crimes; and as we complain that in foreign States there should be newspapers inciting to crime, so we are determined that the mind of the people of Ireland shall not be poisoned by these incitements to crime. There will be a clause in the Act giving the Government power to forfeit newspapers of such a character; and it will be accompanied also, after the newspaper has been forfeited, by power to take caution money, and make the newspaper enter into recognizances not to repeat the offence. Now, these are the three principal heads of the Bill. First of all, security for punishment by a special tribunal; secondly, the provisions to prevent and anticipate the commission of crime to which I have referred; thirdly, provisions to suppress and repress the instigation to crime. Then there are some general provisions which are of substantial, but of minor, importance. There will be power given to Justices to inquire into crime, even where the criminal has escaped; there will be power to Justices to compel the attendance of witnesses who are about to abscond; there will be power to the Lord Lieutenant to appoint such additional police as he may think necessary in any particular district at the charge of the locality. There will also be compensation for murder and maiming of cattle, which will be levied on the district in which the offences are committed. Then, what is to give vitality to these provisions is the summary jurisdiction. I have pointed out that, owing to the terrorism which has been made to operate on the minds of juries, it has been necessary to have a special tribunal for the greater classes of crime; but with respect to those offences which may be regarded as in the second category, it is equally necessary to have a speedy and certain punishment; and, therefore, we propose to make the offences in this Act to which I have referred, punishable summarily, and the Court of Summary Jurisdiction will consist of two stipendiary magistrates. [*Ironical* "Hear, hear!" *from* Mr. HEALY, *and counter cheers.*] There is one thing, also, that we hope in some cases—in most or many cases—it may not be necessary to resort to a departure altogether from the ordinary course of the law; but everybody knows that a case might be tried with more effect by a jury in a different county from that in which the crime was committed, and that the terrorism might be less. But I will reserve the question for further consideration whether those alterations which it may be wise to adopt in the jury system shall be included in this or in a separate Bill. Well, this measure is, of course, an extraordinary measure. [*Ironical* "Hear, hear!" *from* Mr. HEALY, *and counter cheers.*] It is devised for the purpose of meeting an extraordinary state of things. It is necessary that its duration should be such as to give a reasonable hope—I desire to say more than a reasonable hope, a probable certainty—that within that period it may extirpate and destroy this foul evil, and the duration of this Bill which the Government propose is three years. [Mr. HEALY: For ever.] Sir, these are the provisions of the Bill which I have to ask the leave of the House to introduce. I know that the remedy which we propose is severe—[Mr. HEALY: No, no!] —but the evil to which it is applied is one which is most grave. We have endeavoured to take every possible precaution in the Bill that the innocent shall not suffer by it. Sir, there may be, and there must be, under a system of this description, hardship and inconvenience to a community to which it is applied. That is a necessary—that is an inevitable evil. When any society suffers under some dangerous contagious disease, the measures of quarantine that you are obliged to adopt in order to stop its spread, and, if possible, to stamp out the disease, necessarily cause inconvenience and hardship. But if we mean to do anything, we must, regardless of hardship and inconvenience, endeavour to get rid of this foul miasma, which is felt, though it is not seen. We are not, I think, asking too much of the body of the Irish nation that they should endure these evils for the sake of self-preservation. I would ask any man in this House, I would ask any man in Ireland, whether he would not have endured the inconvenience of a domiciliary visit if he thought it could have averted the catastrophe which we all deplore to-day? No doubt, we are obliged to place immense responsibility and great authority—if you please, almost unlimited authority—in the hands of the Chief of the Executive in Ireland; but I think I shall say, with the general assent of this House—aye, and with the general assent of the Irish people—that if there be any man to whom it were safe to intrust such authority, it would be to the high-minded, the just, the firm, yet gentle hand of Earl Spencer. Sir, these are the measures which it is the duty of Her Majesty's Government to propose. It is a satisfaction to think that they are to be followed at the earliest period by measures of a different character, dealing with another difficulty in Ireland in respect of arrears of rent. But, for the present, we have a plain duty before us. I have to thank the House for the indulgence they have extended to me. I am deeply conscious of the imperfect manner in which I have been able to accomplish this task. Such as it is, I have laid before the House, as plainly and as clearly as I could, the proposals of the Government; and I have only to ask for them from the House of Commons that which I am sure they will receive—a calm, an impartial, and a grave consideration.

Motion made, and Question proposed,

"That leave be given to bring in a Bill for the prevention of Crime in Ireland."—(*Secretary Sir William Harcourt.*)

SIR STAFFORD NORTHCOTE: Sir, I feel that at the present moment it is desirable that our observations on the statement made by the Home Secretary, and on the description he has given of the Bill which the Government propose to introduce, should be as brief as possible; because when we have the provisions of the Bill before us we shall have a better opportunity of making discriminating remarks upon them. Everyone must feel that it is a matter of sad necessity that some alteration should be made in the ordinary state of our law to meet the grave emergency which we have before us. We regret when we ever have to alter our law in order to make the administration of justice more severe. But when the occasion calls for it, this House and Parliament have never shrunk from adopting measures which we have found and believed to be necessary; and I am quite sure that the state of Ireland at the present time is such that we shall not be wanting in the courage that is required for the application of appropriate remedies. This only I would venture to say—two things I would say. If we are to depart from the ordinary law, let us take care that the departure is of such a character as shall be effectual for its purpose. If we are to alter the law at all, let us take care so to alter it as to meet the evils with which we have to deal, and to meet them efficiently. I do not say whether in all points the statement of the right hon. and learned Gentleman, and the Bill which he has described to us, do come up entirely to the requirements of the case. But, undoubtedly, he has placed before us many of the evils with which we have to contend; and it is fair to say that the remedies he has proposed are, at all events, intended and designed to meet them. The second observation I have to make is this—that it is of no use at all, but the contrary of what is useful, if, having passed a strong measure, you do not use it efficiently. In all these cases, fidelity and courage in the administration is more than half the battle; and I would urgently impress upon the Government the importance, when this Bill, or whatever Bill may be passed, shall have become law, of administering it with a serious consideration of the importance of firmness and decision. That is a very different thing from severity. I remember being told that I advocated severity of legislation, because I urged that the legislation, to be of use, should be used efficiently. I deny altogether that this is severe. I believe that true cruelty and severity consists in a slack and uncertain administration of the law. The first object you have to aim at is certainty of punishment and certainty of conviction. You will not obtain that merely by altering your Jury Law, or making other alterations, important and necessary as they are, unless you are so determined to administer the law as both to put it properly into execution and, above all, to convince the people that it is intended to put it into execution; because it is a secret feeling which exists—I fear in too many parts of Ireland—that there is not sufficient firmness or determination on the part of the Government which leads to the commission of these crimes. My own belief is, that uncertainty and dread, demoralizing the country, above all things prevents the restoration of peace and order. We have to remember, as the right hon. and learned Gentleman said at the beginning of his observations, that, while we deplore, both as a national calamity and as a private grief, the terrible blow that was struck last week, we have to remember, as the right hon. and learned Gentleman reminded us, that that is but one of a series of crimes with which this country has been horrified during the last two years, and we cannot draw a distinction between evils of the one class and of the other. In some of these cases that have been brought under the notice of the country, we have seen men who have been endeavouring to do their duty as administrators of justice, or as performing their part in the social system, murdered because of the courage with which they desired to execute the duties which were laid upon them. We have seen, also, that which is one of the saddest of sights —men of the humbler class, striving to be honest in their dealings, and courageously to resist the threats of those among whom they lived, subjected to cruel outrages, in some respects even worse than death. These are things which the people of England ought not to tolerate, and I am certain will not tolerate. Although we may be desirous to give the Government, and are desirous to give the Government of the day, all the support that we can give in the discharge of their Executive duties, and to give them such powers as they may convince us are necessary for the exercise of their authority, we must hold them responsible for the proper use of those powers, and the proper discharge of those duties which are assigned to them. I abstain intentionally from anything like detailed criticism upon any portion of this scheme. I do not know whether others may think it right to go into them now; but the Bill, I hope, will be placed immediately before us. It is of great importance that it should be laid upon the Table and introduced to-night. It is of great importance that it should be proceeded with as rapidly as possible; and I will conclude by merely asking the Government on what day they propose to take the second reading?

Mr. STAVELEY HILL asked whether the action of the new Court would be retrospective? ["Order, order!"]

Mr. CHAPLIN said, that whatever they might think of the character of this Bill when they saw it in print, he apprehended there would be scarcely any Member of the House who would be disposed to complain of it on the ground that it was inadequate to the occasion. He did not pretend to be well versed in the history of coercive legislation in Ireland, but believed that never in the history of that country had a measure more stringent and severe—["Oh!"]—been introduced than that which was now submitted by the right hon. and learned Gentleman. ["Oh!"] In answer to the exclamations of hon. Gentlemen opposite, he wished the House to understand most distinctly that he was not in the slightest degree complaining of the severity of it. Nothing, in his opinion, could be too severe to deal with the awful position of Ireland at the present time. He desired to re-echo the words of the right hon. Gentleman the Leader of the Opposition that everything depended upon the determination which was displayed by the Government to use it; and it was because he was afraid there might be some doubt in Ireland, and some doubt, perhaps, in the minds of a certain section of politicians in this country, as to that determination on the part of the Government, that he had ventured to rise on this occasion. He had seen it stated in the leading journal of the day—*The Times*—["Oh!"]—he did not know whether hon. Gentlemen opposite were prepared to dispute that *The Times* was recognized as the leading journal of the day—[*Cries of* "Yes!" *and* "No!"]—be that as it might, he had seen it stated that there had been intrigues from within the Cabinet against the late Chief Secretary in the execution of his duties in Ireland. If this Bill was to be carried out with determination there must be no more intrigues within the Cabinet to hinder the performance of the duties undertaken by the hon. Gentleman now responsible for the conduct of affairs in Ireland. He desired to put a question to the two right hon. Gentlemen sitting side by side opposite. He remembered the statement made by the right hon. Gentleman the Chancellor of the Duchy of Lancaster, and supported by the right hon. Gentleman the President of the Board of Trade, that "force was no remedy." It was the belief of many that that statement had largely contributed — had contributed, probably, more than any other statement made by any public man in England, to the horrible state of things that existed at the present moment. Did they now adhere to that opinion or recant it?

Mr. CHAMBERLAIN: Hear, hear!

Mr. CHAPLIN: The President of the Board of Trade says "Hear, hear!" Do I understand the right hon. Gentleman that he recants it?

Mr. CHAMBERLAIN: No.

Mr. CHAPLIN: The President of the Board of Trade said "No." If, under these circumstances, he adhered to that opinion, he thought the right hon. Gentleman was bound to state to the House, in order that there might be no mistake, so long as he remained a Member of the Cabinet, how and on what grounds he justified his support of one of the most stringent measures ever introduced into Parliament. They ought to have some statement from the right hon. Gentleman on this point, so that there might be no mistake in Ireland as to the opinion of the Government at the present time. He was much mistaken if the former opinion expressed by Members of the present Government would not do much to interfere with the efficiency of the measure now introduced.

Mr. W. E. FORSTER: Sir, I do not know whether my right hon. Friends intend to reply to the question which has just been put to them or not; but, at all events, before they do so, I will make a few remarks. Well, if they do reply, I say force is no remedy. Force is a strait waistcoat, but it is no remedy. It is an absolute necessity very often, and it was never more necessary than at the present moment. The hon. Member for Mid Lincolnshire (Mr. Chaplin) made a remark about myself; and, though it would be better that personal matters should be avoided, I am bound to take notice of it. The hon. Member is apparently under the impression that I was hindered in the administration of my duties by my Colleagues. We did entertain differences of opinion as to what should be done, and that is why I left them; but I am bound to state that I have never been thwarted in one single act upon which the Cabinet were agreed. If there were any faults in that administration they probably lie more in myself than in anyone else. But I believe that, as the truth becomes known, in so far as anyone may care to inquire into it, these faults will not be found, considering the circumstances, to have been great. Now, with regard to this measure—which is, unfortunately, far more important than any personal matters—my right hon. and learned Friend who brought it in knows very well that I can only speak with the strongest possible approval of its general principles. I am glad that such a measure is brought in; I am glad that the Government is determined to make it their first and chief business to pass it without delay. I, like the right hon. Gentleman opposite, should like to see the exact wording of the Bill; but, judging from the statement—the very clear statement—of my right hon. and learned Friend, it seems to me very much to meet the difficulties, great as they are. There is one point in which I am anxious to see the exact words, and that is that part of the Bill which deals with intimidation and incitement to intimidation. My right hon. and learned Friend said that the worst symtom of the disease now before us—and said it with truth—is the prevalence and power of secret societies. But I must repeat what I have said in the House, that, hideous as are these secret societies, in some respects open intimidation is worse. I am anxious to see that the actual wording is sufficiently strong against open intimidation. There is no doubt that this is a very stringent measure. The hon. Member for Mid Lincolnshire said it was the most stringent measure ever brought forward.

Mr. CHAPLIN: I said I thought so.

Mr. W. E. FORSTER: My impression is that the hon. Member is right; and I believe that the time has come when, for the sake of liberty, we must have a strong measure.

Mr. DILLON: Thanks to you.

Mr. W. E. FORSTER: I hope that no hon. Member, after what has passed to-day, will provoke me into any retort. None of us could have expected to see what we have seen to-day—a nation mourning in a way in which our souls have hardly mourned before. I thought to myself, as I saw those enormous crowds, all under the influence of strong emotion, as I saw the sorrowing relations, and especially that grief so deep, yet so nobly borne, almost like an angel—the grief of one to whom I can hardly allude—I thought to myself, what will happen of this? I believe good will happen. I believe that the conscience of England has been roused, and that there is a determination that Ireland shall no longer be terrorized by threats of murder or by these threats of lifelong misery; and I doubt whether anything but so striking and appalling an event could have thoroughly roused the conscience of England, and, I trust, of Ireland also. We have had many murders before, and to the men and to the women who have been murdered, and to their sorrowing relations, those murders have been as bad as this has been. Now, at last, men of stainless character, of high public service, against whom there could be no reproach, have been murdered, and the consciences of men have woke up to what murder is in a way in which they never woke before.

Mr. T. D. SULLIVAN: What about English murders? [*Loud cries of* "Name, name!"]

Mr. HEALY: Name away!

Mr. W. E. FORSTER: We must remember this, and that is the reason why we must have this very stringent measure. These are the first political assassinations that we have had in our country for centuries.

Mr. HEALY: What about Perceval?

Mr. W. E. FORSTER: Perceval was assassinated by a man out of private pique—for private revenge. These are the first assassinations that we have had for centuries upon the ground, the avowed ground, of a political movement. Now, do not let hon. Members opposite suppose that I think they instigated these assassinations. But I do think that if they had set their faces as they now set their faces against these murders, we should not have had these murders. And what I say is this—by the side of the fact that these are the first and the only political assassinations that we have had for centuries, and that we have to search our history through to find out that there were any like them—I say that this is the first political agitation conducted by men of station, and, as we should have supposed, of character, in which there has been incitement to private crime, incitement to the ruin of a man, to the intent that no one should buy of him, that no one should sell to him, that no one should speak to him, that his life should be made one of wretched and continuous misery. Never was there such an instrument made use of in a political agitation before. Well, there are men who hardly know how to draw the line. There are men who say—"Yes; make a man's life absolutely miserable because he does not do what you think he ought to do—what you choose to think he should do. That is acknowledged to be right. We go further, and end his life altogether." There is no cause for great surprise that that should be so. That is the reason why it is necessary we should now have so stringent an Act as this, when the whole principles of liberty are at stake, to contend against these evils with which no terms can be kept upon any grounds whatever. If we do not pass such a measure as this, if we do not put a stop to political agitation, conducted as has been this agitation, there is an end of the freedom of the English and Irish people, and we shall be the slaves of any powerful and dictatorial and unscrupulous minority which can gather men to assist them to terrorize their neighbours into doing what they conceive ought to be done in public measures, and ought to be done in social relations. And, therefore, I am not surprised that the Government, seeing how the country has been woke up by these results of the teaching of late years, seeing that the people of Great Britain, and, I believe to a great extent, the people of Ireland also, are determined that this shall not last, that there shall be liberty, that there shall not be this terrorism, have resolved that an Act very stringent must be passed and must be carried out. I am glad that this Bill has been brought forward; and I end by saying what I said at the beginning, that, although this amount of force—and I do not know in our history whether we have ever brought such force to bear, or ever had so much occasion for it—this amount of force is absolutely necessary, it is not in itself a remedy for the evils of Ireland. But this measure must be passed first. There must be nothing to anticipate or take the place of stopping murder or terrorism; this must be done before anything else, and upon this Bill being passed, if there are still grievances, though we have done much to relieve them, and if there are still helps which might be given to Ireland, I trust that the House will be willing to give them, and I am quite sure the country will support them in doing so.

MR. JOHN BRIGHT: Sir, the hon. Member for Mid Lincolnshire (Mr. Chaplin) has put a question to me and to my right hon. Friend the Member for Birmingham (Mr. Chamberlain). I rise to answer it, because the quotation which he made from a speech delivered at Birmingham was not spoken by my right hon. Friend, but by me. The hon. Member placed great reliance, no doubt, upon what he called a leading journal. I must advise him, when he undertakes to criticize the observations of Members of this House in a speech, that he should accurately have read the speech, and that he should have understood it. My right hon. Friend the Member for Bradford (Mr. W. E. Forster) has quoted that which the hon. Member for Mid Lincolnshire alluded to, and has, I think, adopted it. I am ready to repeat it; and if the hon. Member would turn to the speeches which I have made upon this question, he would discover—and if he has read them and understood them, he must have discovered—that I have always said what I said then, that force is not a remedy for the discontent existing in a country, arising from causes which are such to produce discontent.

MR. CHAPLIN: The quotation I made was, "Force is no remedy."

MR. JOHN BRIGHT: If the hon. Member has said that I have said that force is not a remedy against force, he would have entirely misquoted me. What I said was that, with regard to grievances of which I believed the Irish people had a just right to complain, force was not a remedy.

MR. CHAPLIN: No remedy?

MR. JOHN BRIGHT: Of course. Force was no remedy for the grievances of which I was speaking. I will say that immediately after making that speech, or very soon afterwards, I was a Member of an Administration that proposed a very strong measure of repression for Ireland. It was clear, I think, not only from what I said, but from my subsequent conduct, that I made no reference to the question of violence in Ireland when I said that force was no remedy. It was no remedy for the discontent of Ireland, and that was true; because not only the Administration sitting here, but Gentlemen on that side of the House, have all along admitted that whatever force you applied to put down violence or intimidation in Ireland, at the same time measures were required to allay the discontent of the Irish people. Well, so far in answer to the hon. Gentleman the Member for Mid Lincolnshire; and I hope that he will not trouble the House with a repetition of that quotation. I will make one observation about the measure which my right hon. and learned Friend has explained to the House. This Bill, whatever its severity, is directed in no degree against any innocent people in Ireland. There may be cases, and it is impossible not to feel that it is likely that there will be cases, in which some innocent persons may suffer. But the innocent in Ireland who wish to be innocent, and who wish the law to be obeyed, and who wish the country to be tranquil, will, I think, be willing to submit to such inconvenience as the Bill may inflict upon them. They will be amply compensated if the Bill has any effect in bringing about a settlement of the mind of Ireland, and that tranquillity which we all desire. The Bill is a Bill aimed not at political discussion, not at political opponents; it is a Bill aimed against crimes which in every part of the world are held to be crimes, and for the suppression and prevention of which Law and Governments exist. And I maintain, without exaggerating—I will use no words of exaggeration with regard to the present condition of Ireland—I say that if I were an Irishman, if I were a tenant farmer, honestly wishing to live by my industry, and to see the laws obeyed, that I should rather welcome the passing of a Bill even like this, if it would bring about a state of the country in which myself, and my neighbours and friends, and the farmers all over the country, could pursue their industrial avocations without the molestations to which they have been subjected. My own impression is, that the Bill as it will work—as I hope it will work if it should pass—will be found a measure of extensive and universal protection to all those persons in Ireland who wish to obey the law, and who wish the population and condition of Ireland to be as satisfactory as I hope some day it may be—as are the population and condition of England and Scotland. It is with that hope that this Bill has been introduced, and from no love of force—from no love of disturbing the minds of the people of Ireland; but for the sake of enabling all honest men in that country to co-operate with the Government and the Law in arresting the demoralization which exists, and putting an end to a violence which hon. Members in every part of the House are willing to admit is a shame and a disgrace to any Christian country.

MR. PARNELL: Sir, I wish to join in the expression of my feeling as to the temperateness which has characterized the public opinion of this country during the last few days in reference to the terrible event of last Saturday. But I regret that the character of that public opinion has not been shared by the framers of this Bill—a Bill which has been described by the hon. Gentleman the Member for Mid Lincolnshire (Mr. Chaplin) as one of a more stringent and sweeping character than has ever disgraced the annals of English coercive legislation in Ireland. Ireland abhors the crime of Saturday. Ireland abhors all crime. But I deny that because such a crime, or because these crimes have been committed by a few, that, after having tested the specific of the right hon. Gentleman the Member for Bradford—a specific by which he could not even save himself, and which he recommended some 12 or 14 months since with just as much confidence as he now recommended this new nostrum to the House—I deny that because these crimes have been committed you are entitled to place the lives and liberties of the people at the mercy of partizan and political Judges—of the stamp of Chief Justice May—whom you were compelled yourselves to direct to withdraw from the presidency at a trial, an important State and political trial, because you did not deem him fit to preside at that trial, which only involved a punishment at the outside of two years' light imprisonment to those who might be found guilty, and to intrust to that self-same Judge the right of judging in cases involving the lives of the persons in question. You repose this confidence in your Judges, each and every one of whom are partizans who have been chosen for their political services. You then pass on to deal with the lesser class of offences; and these offenders are to be handed over to the Clifford Lloyds, the Major Bonds, the Sub-Inspector Smiths, *et hoc genus omne.* I do not deny that no Government has ever been pressed so much to step aside from the straight path, and I do not wonder that they have so stepped aside; but the result they cannot foresee, and we cannot be responsible for. You are about to enter upon a new and untried path, and you cannot tell what the result may be. We, who know the people of Ireland, believe that it will result in tenfold—aye, and a hundredfold — more disastrous failure than the failure we see before us; and that your confident Statesmen, when they have to come to this House again, at the end of 12 months, for, perhaps, more stringent, more determined, and more desperate coercion—if such a thing were possible—than the measure which has been explained to us to-night, will have once more to confess that England has not yet discovered the secret of that undiscoverable task—the task of the government of one nation by another.

Mr. LEWIS: Sir, I think the House and the country will be satisfied that, at this early period, the treaty understood to have been made between the Government and the hon. Member for the City of Cork (Mr. Parnell) has been dissolved. Only a week ago we were told from the Benches opposite that we might except to receive a very important communication from the hon. Gentleman upon the circumstances and conditions upon which he was released from prison. We see to-night that the first result of the entire change of front on the part of Her Majesty's Government has dissolved and broken the compact which was entered into. I think the country will be well pleased that the alliance has come to this sudden and happy termination. I have only one remark to make on the present occasion, and that has reference to the speech of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster). The right hon. Gentleman appears to be of opinion that there has been only one murder in Ireland, and the only prominent feature in his mind was the grievous tragedy of Saturday last. He stated that the conscience and the mind of England had been affected and touched by that great event. Why, Sir, that which we have been complaining of from these Benches is that for months past, notwithstanding that most grievous offences have been committed against life and property; that notwithstanding that for months past offences have been constantly added to the roll of crime, the conscience of Her Majesty the Queen—Her Majesty's Government—was not, apparently, in the least affected by them. It is only when personal grief and personal relationships were touched, the Government mind was changed, and they thought fit to entirely change their whole policy. On the first day of the week we were told that the *clôture* and Rules of Procedure were far more important than protection of life and property in Ireland; and now, simply because two more murders have been added to the many scores of others which have taken place in Ireland during the last 18 months, the whole policy and conduct of events by Her Majesty's Government are to be altered. We are still without the declaration of the hon. Member for the City of Cork (Mr. Parnell) which we expected to receive, and we have not heard the Head of the Government, who is in possession of the documents; but it is time we should be informed of what is the effect and scope of the treaty between the Government and the hon. Member for the City of Cork, which has been dissolved and broken to-night.

Captain AYLMER said, he agreed with what had fallen from the hon. Member who had just spoken. The Government had at last been aroused by the murder of Gentlemen of high birth; and while far more terrible murders—the murder of the two bailiffs who were tied together, and of defenceless women—were passed by, stronger legislation was now thought necessary. It would be an unhappy day if the principle was established that men in high positions were to be murdered before the Government would act. It was impossible that night to criticize the measure; but he wished to mention one or two points referred to by the Home Secretary. In the first place, he considered the proclamation of districts a complete mistake. It was like excluding crime by shutting one door and at the same time opening another; and he had always observed that when a district was proclaimed, the neighbouring district, though peaceful before, rapidly became disturbed, and had shortly to be proclaimed also. He had nothing to say against the stipendiary magistrates, who did their duty most faithfully and very well. The great mistake which had been made was in centralizing the authorities in Dublin Castle, and in ignoring the local magistrates of Ireland. He was aware that the late Chief Secretary would probably deny that assertion; but the fact was proved by the behaviour of the police, who referred their reports to Dublin Castle, and looked there for instructions, instead of to the local magistrates. They—the local magistrates—alone possessed local information, and they alone could assist the Government. He wished to mention one other matter, and to ask the Government whether they had any intention of dealing with those open societies which, putting on the mask of loyalty, were quite as dangerous to the peace of Ireland as the secret ones were?

MR. DILLON: Sir, it is a considerable time since I have obtruded myself on the attention of the House, and were it not for the character of the Bill which has been announced to us to-night I should not have made any remarks on the present occasion. But the character of this new Coercion Bill, and, I may add, the character of the bloodthirsty speech—[*Cries of* "Order!"]

MR. SPEAKER: The hon. Member must be aware that an expression of that kind is unbecoming and un-Parliamentary.

MR. DILLON: Sir, I withdraw the word. The character of the Bill which has been announced for to-night, and the character of the speech by which it has been supported by the late Chief Secretary for Ireland, have induced me to rise in my place to make one or two observations. There is one remark which was let fall by the late Chief Secretary for Ireland, to which I would earnestly wish to draw the attention of the House, and, were it in my power, to draw the attention of the entire English people, and of the civilized world. It is that for the first time in the history of our race have political assassinations stained the annals of our country. It is true, and God knows it is true, and God knows there is no Englishman who feels that stain so bitterly, and with so keen a sense of humiliation, as I do, and that people whom I represent in this House. But let me direct the attention of the House to the fact that that stain rests upon our political history after two years administration of the right hon. Gentleman the Member for Bradford; let them beware lest, if they send another man to carry out a similar Act, that that accursed stain may not again sully the page of Ireland's history. [*Cries of* "Oh!" *and* "Name!"] Mr. Speaker, I would ask the hon. Members to be fair to me, and to clearly understand my meaning. I do not exaggerate when I say that I would willingly and gladly have risked my own life to save the life of Lord Frederick Cavendish, or any other Englishman who came as he came to our country, with a generous spirit; and if I speak these words of warning, I speak them for the purpose of averting the disaster, rather than for the purpose of encouraging it. I will not waste the time of the House by calling attention to the provisions of this Bill. The Bill has been characterized by two Members of this House as the strongest and most severe that we ever had in Ireland. I ask the Members of this House, is it not a sense of shame rather than of exultation they ought to feel that, after 82 years of English government in Ireland, we are met here to-night to pass the strongest measure of coercion that was ever passed for Ireland? I would ask even the Conservative Party, do we not read in that fact the condemnation of English government in Ireland? Is it that the Irish people are savages, and are irreclaimable? ["Hear, hear."] What profit can you ever expect from governing a nation which nothing conciliates, and which nothing will subdue? You have tried your hand at coercion for 82 long years; you have passed 50 Coercion Bills; and to-night you are assembled here to pass a measure which is worse than all that have gone before. All I can say is, you are the most hopeful Assembly of men in this world if you believe that this Bill will do what 50 of its predecessors have failed to do. The Bill is stringent, and, let me add, stringent against everything except the crime which it was brought in to reach. I did not hear in the Home Secretary's statement one single provision which, if in force hitherto, would have saved the lives, or added to the chance of the lives, of the unfortunate gentlemen who fell in the Phœnix Park last Saturday night. I was reminded, when I listened to that speech, of the words of Lord Cowper, the late Lord Lieutenant of Ireland — words of evil omen, which he used in describing the mission which he had come to Ireland to undertake. "Our mission," he said, "is to drive Irish discontent beneath the surface." Too well he succeeded in his mission. I am not ashamed to acknowledge in the face of the House that I, and the men who worked with me, strove to bring Irish discontent above the surface. I strove, and I strove honestly, to keep Irish discontent above the surface—by rough methods it may be, but not by assassination, and not by murder. ["Oh!"] I challenge any man in the House or in England to say that, either in public or in private, by hint or by abstention from denunciation, I have ever given the faintest encouragement to any injury to a human being, much less to murder. There are provisions in this Bill against unlawful meetings, there are provisions in it against speeches, there are provisions against newspapers, there are provisions against every channel by which the public feelings of the people might be unloaded or discharged. It is a curious thing, after hearing these provisions unfolded, that I should have received a telegram from Ireland stating that the placard by which we endeavoured to assist the Government in tracking the murderers of Lord Cavendish, and which we have caused to be posted in every village in Ireland, has been torn down by the police as a Land League placard, because it bore our names; and when the police were questioned by the parish priest of Doon, in the county of Limerick, as to the reason why they so acted, they answered that they did it under orders of Mr. Clifford Lloyd. Why is it that the provisions which I have enumerated are put into the Bill? Is it because Ireland has risen up as one man to denounce this crime? Is it because our national newspaper has appeared with a mourning border? [*Derisive cries of* "Oh, oh!"] I see nothing to jeer at in the fact that this organ of assassination, as you call it, has appeared with a mourning border, within which it declares that until the murderers are arrested the stain cannot be wiped off Ireland's honour. And let me tell you that all the detectives in Dublin Castle cannot do more to bring these murderers to justice than that statement in *United Ireland.* You talk of strengthening the law in Ireland. Will you strengthen the law in Ireland by making it more hateful to the people, by making combination to refuse evidence more strict and unbreakable than ever? The Home Secretary made one statement which is quite true. He said this assassination is an isolated act. [Sir WILLIAM HARCOURT: I beg pardon. I said it was not an isolated act.] Sir, in that case I must reverse my statement, and say that the assertion of the Home Secretary was not correct. It is an isolated act, and until you understand that it is an isolated act you are not in a position to deal with Irish crime. The fact that you make such a statement proves that you have not the knowledge which would enable you to deal with Irish crime. I know something of the Irish nature, and I know something of Irish crime. [*Ironical cheers.*] I say I do know something of Irish crime; and who is there that lives amongst the people of Ireland—who is there that understands the feeling of the Irish peasantry—who does not know something of Irish crime? Who is there that understands, or pretends to understand, the peasantry of Ireland who will say here, without stating a falsehood, that crime and outrage has not the sympathy of the Irish peasantry? I state that because I know it to be a fact. I have refused to denounce outrages in this House, and I wish to be honest and to tell you truthfully why I have done so. The reason is, my denunciations would have had as little effect on the mind of the peasantry of Ireland in their past temper as water has upon a duck's back. They would not have believed that I meant what I said. If I did, it might be said of me that I denounced the outrages in Ireland for the purpose of gaining English popularity. When I knew that my words were ineffectual, I told this House a year ago, before I went into prison, and I tell them again, if I were placed in a position to say to the peasantry of Ireland, "I will bring you justice, I will bring you protection from outrage," I would undertake to denounce outrage and crime throughout the length and breadth of Ireland. But I would not mislead the House or the people of England, not pretending that I or any other man can effectually denounce crime in Ireland until I am in a position to say to the Irish people that I bring protection with me.

I said awhile ago that murder was an isolated act. It is an act that the Irish peasantry or the populace of Dublin have no sympathy with. It is an act the Irish people all over the world have proved they have no sympathy with; and let me add, if I might institute the comparison, that there is more sorrow to-day for that one crime in the heart of Ireland than in the heart of this country. If you frame an Act which is calculated to deal with such crimes as this, I, for one, though it is a dangerous thing for an Irish Member to say, will give it no opposition in this House. So bitterly do I feel the humiliation which our country has suffered, so bitterly do I feel the frightful position in which we have been placed by that foul deed, and so highly do I appreciate the spirit in which the people of England have taken this blow, that I would offer no prolonged opposition to a Bill which really promised to deal with the crime of assassination. But this Bill is aimed at every expression of public opinion in Ireland. It is drawn with a view of prolonging the policy which has resulted in bringing the first political assassination in Irish history upon the stage. It is a Bill which, to my mind, is calculated to bring disaster upon disaster, and to land us in a condition of things for which no parallel can be found outside the Empire of Russia. It is a Bill which, if you pass it, will leave no place in Irish politics for any man who believes in Constitutional methods. It will make our task an impossible one. My Colleagues and myself will be forced to leave the House. You may rejoice in that, and be glad to get rid of us. There are many Members in this House who, I am sure, would rejoice if we were out of it; but there is no one who so heartily desires such a change as I do. I hate my present task. I do not love this House, and the sooner I am out of it the better shall I be pleased. It is a solemn and serious question which awaits your decision. Are you going to take up anew the policy of the late Lord Lieutenant and of his Chief Secretary—that policy which must result in driving political agitation underground? The question is a grave one, for the answer given to it may seriously affect the future of England as well as that of Ireland. Passing from this, I desire to direct attention to one point which has been overlooked both by the Press of this country and by this House. In the carrying out of the last Coercion Act the police were very active. They were praised over and over again in the House by the late Chief Secretary. They directed their operations to meetings of women which were held for charitable purposes; prevented meetings of children; they burst into the houses of innocent people, and nothing, however harmless, escaped their scrutiny; but, I ask, where were the police on Saturday evening in the Phœnix Park? I put to you this solemn question, to which I think the public opinion of England ought to demand an answer. Either the late Chief Secretary (Mr. W. E. Forster) knew that a secret conspiracy was on foot in Ireland, or he did not; either he knew that his own life was in danger, or he did not; either he knew that Mr. Burke's life was in danger, or he did not. Who was guiding the movements of the Dublin police during the interval which elapsed between the right hon. Gentleman's resignation and Saturday last? Who was responsible before England and before Ireland for allowing those two gentleman, after the speech we heard here a few days ago from the late Chief Secretary, warning us of the danger ahead—who was responsible for allowing them to go unprotected, unwatched, and unguarded, making it possible for the knife of the assassin to do its bloody work? This was the vigilance of the police—shameful; but much more shameful than to any one else to the Administration of Dublin Castle, which left them unguarded when they should have protection. I say he stands condemned to-day before England. Either he was ignorant, or he was not aware of these conspiracies. If he was ignorant, why was he holding them up as terrors to this House?

Mr. W. E. FORSTER: Who?

Mr. DILLON: I refer to the late Chief Secretary.

Mr. W. E. FORSTER: Does the hon. Member suppose that I had the direction of the police after I left Office?

Mr. DILLON: I am glad of that interruption, because it narrows the point at issue. The question I want to have answered is who was responsible? Certainly it was not Lord Spencer; it was not Lord Frederick Cavendish. Who was it, then, that had the direction of the police, and allowed these gentlemen to go alone on that fatal night? I have only one word to say in conclusion. If you pass this Bill, you will be doing precisely what the assassins of Saturday aimed at. If you abandon that policy which opened up some hope to those who represent Ireland, and if you enact a measure of this kind, you will be carrying out the object of the assassins who struck at the life of Lord Frederick Cavendish. It is more than likely that one of their objects was to cut the ground from under our feet, and, by influencing the Government to proclaim martial law, to render Constitutional agitation impossible. Possibly they desired that the control of Irish politics should pass into such hands as theirs. And if you carry out the policy indicated to-night, you will be simply playing the game into their hands. Against men who commit such deeds as that of last Saturday one course only affords the slightest hope of being effectual. No measure of repression which human ingenuity can devise can prevent the commission of these atrocious murders. The history of Russia and of Italy amply prove that. The only weapon which promises to be effectual is the moral sentiment of a people passionately aroused in condemnation of such acts, and ranging itself on the side of the Government for the purpose of hunting down the infamous perpetrators of them. The Irish Members have recognized that truth. We have honestly offered to place this weapon in the hands of the Government. We have posted placards in every village in Ireland calling upon the Irish people to aid the Government in discovering the criminals. If the English people refuse the proffered weapon, and allow themselves to be blinded by panic, and to be carried into a course of stringent opposition, there will be no option left to men who hold my views but to give up Irish politics for the present in despair. There will be no public platform left for us; and, as I am not prepared to ally myself with assassins, I shall have no choice but to retire from political life, and look on with sorrow while two nations go forward in a course mutually and equally degrading and brutalizing—a course of brutal repression on the one side, met by savage retaliation on the other.

Mr. T. D. SULLIVAN was sorry to say that a sad and very bad night's work for England and for Ireland had been done that night. Up to 9 o'clock in the evening the sentiment of the Irish nation was with the people of England. Up to 9 o'clock the heart and feeling and the conscience of Ireland were strongly in harmony and in sympathy with those of England, after the dreadful crime which was committed in Ireland a few days ago. From all that had reached him, from all classes of the people, from every part of Ireland, there was but once sincere expression of indignation and of regret for the calamity which had fallen upon the Irish nation. But all that, he was sorry to say, had now changed. In place of giving that feeling a trial—in place of giving that sentiment of the Irish race fair play for a little time, in order to see what effect it might produce on the condition of Ireland—the Government had now come forward and spoilt everything, throwing them back into confusion, and renewing the ill-feeling and war which had hitherto prevailed. The act of the Government had been emphasized and intensified by the inflammatory speech they had just heard from the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster). He (Mr. Sullivan) said, with all sincerity and with all the earnestness of his heart, that he regretted the delivery of that speech, knowing that it could have no effect in Ireland except to stir up the ill-feeling and bad blood which had been allayed by the sad occurrence which had taken place so lately in Ireland. The hands of the Irish people were extended to join those of the English people; their hearts were beating with sympathy with those of the English people; and, in a great degree, the hopes of the Irish were in unison with those of the English. All this had now gone, and they were thrown into a state of warfare and confusion, and the good feeling and kindly sentiments which were growing up had been completely trampled out. He had hoped for better things. He thought that the sentiment of Ireland at the present moment was all that could be expected or desired. Why not give it a few days' fair play in order to see how it would work? Why not try the experiment of endeavouring to ascertain whether the Irish people would not do all in their power to bring the perpetrators of this evil deed to justice? The effect of this measure would be to throw them off the track. That, he believed sincerely, would be the effect of what had been done that night. War was declared by Her Majesty's Government, and the war-whoop had been sounded by the right hon. Gentleman the Member for Bradford. He (Mr. Sullivan) knew not what evil spirit, or what evil genius had thrown Her Majesty's Government into this evil course. He believed that the Irish Representatives would have instantly and willingly agreed in any measure that was intended to cure the evils of Ireland; but, as his hon. Friend the Member for Tipperary (Mr. Dillon) stated, this Bill would not strike at the root of the evil. It would not arrest the hand of the assassin, or take the knife from him. All that it would do was to hurt, to wound, and to exasperate innocent people who desired to be not the enemies, but the friends, of law and order in Ireland.

SIR JOHN LUBBOCK said, he did not rise for the purpose of prolonging the discussion; but he was anxious to say a few words in reply to the speech of the hon. Member for Tipperary (Mr. Dillon). If he thought the hon. Member had justly appreciated the character of this Bill, then he would say that he felt there was much force in the remarks of the hon. Member; but he believed that the hon. Member had misconstrued the effect the Bill would have, and he regretted to hear the hon. Member express such gloomy anticipations. While it was perfectly true that this Bill was more stringent than other Bills which had been brought forward for some time past, it was not more severe in the sense of being a hardship upon the law-loving people of Ireland; and stringent as it was, he hoped it would be more effectual in putting down crime. He did not see that it would close the door to any reasonable political agitation, or to any fair mode of expressing the opinions of the people of Ireland. He believed that the Bill would have the almost unanimous support of the people of this country. No doubt, it would be open in Committee to discussion upon points of detail. But those were matters that would remain open for the future stages of the Bill. He had only to express what he believed to be the feeling entertained by many hon. Gentlemen in that House, who hoped that the Bill would be effectual for the great purpose it was designed to accomplish, namely—the protection of life and property in Ireland. He, for one, could not see in any part of the measure, as explained in the clear and lucid speech of the right hon. and learned Gentleman the Home Secretary, that there was anything in it which any man who wished to abide by the principles of law and order need dread. It would not interfere with any legitimate personal rights, and he trusted that it would restore safety of life and property. He regretted the necessity for the Bill; but he believed that the people of this country were unanimous in their determination to maintain the law.

MR. O'DONNELL said, he sincerely hoped that when the news of the contents of this Bill reached Ireland, it would have no disastrous effect in turning back the universal tide of detestation of crime with which the land was filled. This Bill was a Bill which he hoped the Irish Party would allow to pass without an amendment, or attempt at amendment whatever, because it was superlative in its unmitigated brutality. It was a conclusive proof, before the whole of the civilized world, of the utter incapacity of England to legislate for Ireland, except in a state of panic. It was a *reductio ad absurdum* of Anglo-Saxon calmness of mind; it was such a burlesque of cruelty, such a serio-comedy of tyranny, as could scarcely disgrace the boards of a transpontine theatre; and he therefore hoped that the Irish Party would allow it to pass without any attempt to amend it. He had expressed his own earnest concurrence beforehand in a policy calculated to put down crime without exasperating the people—a policy calculated to prevent outrage without disgusting any lover of liberty; but this Bill might more properly be called a Bill for the extension of disaffection, and for promoting that disturbed disposition of mind which was the fertile parent of outrage. This Bill—and when he turned to the Government Benches he did not mean the Treasury Bench—this Bill was an Irish Tory Bill. The English Tories were a National Party. The Irish Tories were the venomous residuum of Cromwellianism. At the same time, the Representatives of that Party were, as a rule, the guides and the law-givers of the

English Tories of Imperial legislation. However, thank Heaven, they could dispense with both Parties. The provision with regard to the trial of such offences as treason and murder by an extremely select jury, picked out of the Irish Judicial Bench, might have a good deal to be said in its favour, if there was any right or power given to the prisoner to eliminate such jurors from the Bench who were still known to be incapable of giving an impartial opinion upon a political matter. He should like to know—and there were men who were conscientious according to their lights—he should like to know what verdict, in a political case, could be expected from Justice Lawson, or Chief Justice May, or Judge Fitzgerald? Judge Fitzgerald had been one of the most potent instruments for stirring up disaffection wherever he went. These gentlemen were all, doubtless, highly conscientious; they were exactly as conscientious as if the Government were to nominate the hon. Gentleman the Member for the county of Leitrim (Mr. Tottenham), or one of the hon. Members for the County of Tyrone (Mr. Macartney), who usually sat somewhere behind the Home Rule Members. Those hon. Members would act just as conscientiously if they were appointed to sit as Judges on an Irish political question. He admired very much the conscientious earnestness of the hon. Member for Tyrone; but he did not think a Judge of that stamp would be a very good juror in an Irish political case. Then there were powers of search by night and by day for the arms and instruments of murder. He wondered whether the search by night or by day would have discovered the knives that did their deadly work on Saturday evening last in the Phœnix Park. And the search was to be carried out upon the high guarantee of the presence of a sub-inspector of Irish Constabulary. What guarantee would be the presence of Shooting-on-Suspicion-Circular Smith; or what guarantee would be the presence at a midnight search in a peasant's house, among a peasant's children, by Sub-Inspector Ball, who shot down children at Ballina like mad dogs? And there was a clause in the Bill providing for the laying of a blood tax on a district in which a murder had been committed—as if all the peaceful residents in the Strand were to be required to pay compensation for an outrage committed on the Thames Embankment. Under such a rule, Earl Spencer would have to pay compensation for the murder of Lord Frederick Cavendish; although, perhaps, as Phœnix Park was Government property, the Irish Government themselves would have to pay the compensation. They had it on the authority of the right hon. and learned Gentleman who introduced the measure, that a number of these murders were planned and arranged by foreign emissaries, who, for the purpose of outrage and menace, struck down their victims in Ireland. For instance, he had seen it stated by papers in the Government interest, although he did not know that the information was any more trustworthy on that account, that certain assassins were coming across the Atlantic in order to murder a certain stipendiary magistrate in Ireland who had been especially selected by the right hon. Member for Bradford to be a brand of discord in the West. Now, suppose that that were true—suppose that some societies in New York or San Francisco had sent over these assassins to slay this magistrate in the West of Ireland, and, through the unsurpassable stupidity of the coercive police, the murder was carried out as easily and with as little supervision in the West on the part of the responsible authorities as in Dublin, then Her Majesty's Government proposed to lay a heavy blood tax upon the innocent people of Clare, by way of punishing the secret societies of New York and San Francisco. This was British legislative acumen publicly displayed. If the House would not recoil from the brutality of these provisions, it ought to recoil from their stupidity. None of them would have prevented the lamentable catastrophe of last week. There was not in the Bill a single line to provide for an intelligent non-political detective police in Ireland. Well, that was one thing they wanted in Ireland—a police that would put down crime and not put down liberty. But that was the one thing which the Government persisted in refusing to provide for the country. They persisted in approaching Ireland at the wrong end, and by this brutal Bill did all in their power to turn the public opinion against the Government of the country. As surely as they were sitting there that night, and as surely as they detested crime in Ireland —[" Oh ! "]—with the exception of hon. Members who deemed it their business to protest—the Bill which had been introduced to-night would be quoted in the assassination Press, if there was an assassination Press, as a justification for outrage. He told the House that upon his responsibility as an Irish Representative. The Bill, he trusted, would be passed without an Amendment. In the first place, it was a Bill which could not be amended. It was a Bill rotten in its conception, poisonous in its development, and they could not amend it. If they put anything sound into it, if they engrafted anything remedial or healthy upon it, that healthy graft would be wasted and blasted by the general poisoning and corruption of the whole stem and trunk. [*Laughter.*] Hon. Members were laughing as they laughed during the discussions upon the Coercion Act—that fertile cause of outrage and crime, that worthless weapon in defence of law and order. This was another worthless weapon in defence of law and order. He expected that its authors, after they had passed it triumphantly through the House—a House composed of average British Legislators—would be ashamed of their work, and find that this brutal Bill was as worthless and as useless as many a brutal Bill which had preceded it. He deeply regretted that Her Majesty's Government should have brought in this measure. However, at the same time, having described this Bill as it deserved to be described, he trusted the Irish Party would work earnestly and honestly in the furtherance of remedial legislation without regard to this brutal legislation, which, after all, was only incidental to the sad necessities of their position as being governed by a superior race. [" Oh ! "] He was indebted to the House for the calmness and impartiality which it displayed. The attitude Her Majesty's Government in regard to Irish policy showed that the action of the Irish Members was entirely justified. They had been warned last year that instead of bringing in their Coercive Bill they should have brought in a Land Bill. If they had done so, the crime which occurred last year would not have happened, but they would have had a year of peace, of deepening contentment, and of extending respect for the law. He appealed with confidence to the Tory Party for the strongest confirmation of his opinion in that respect; and he would venture to recommend to the Liberal Party, with regard to their legislation, that as long as the English Tory Party followed its Irish Tory guides, they would not far wrong in doing whatever the Tory Party recommended should not be done, and in not doing anything to cause pleasure and satisfaction among the Tory Party. The Bill might be amended in Committee; but if it was to be amended the attempt must come from the English Members. At least, he trusted that it would only come from the English Members. If the House passed it in its present shape —if they passed it with three-fourths of its present contents—then, indeed, they would find it a plague-spot and a cancerous ulcer which would keep the political body of Ireland from becoming sound; and the action of the Irish electorate and their representative bodies, and the fellow-feeling of Irishmen throughout the world would alone be effectual in introducing a fundamental element of stability into the condition of Ireland.

MR. MITCHELL HENRY observed, that any Bill for strengthening the law, of an exceptional character, must necessarily produce, in the minds of those who were subject to it, a feeling of irritation and a feeling of dismay; but he thought that if the House was to pass a new coercive measure for Ireland, it was bound, first of all, to put itself right with that part of the Irish people who were suffering from the worst form of coercion—unjust eviction. He thought he had never heard in that House any sentiment which gave him more pain than the sentiment which had fallen from his right hon. Friend the Member for Bradford (Mr. W. E. Forster), when he said that all legislation of every kind, remedial included, must be postponed until this Bill was passed. [" Hear, hear ! "] Did not those hon. Members who said " Hear, hear ! " and the right hon. Gentleman himself, know now that there were hundreds of innocent men, women, and children, starving on the hill-sides of the West of Ireland ? Let the Government set themselves right in that respect. Had they not said that this wrong must, and should be, redressed ? Was not the whole civilized world crying shame upon them, that they should admit that the law under which these things were done was wrong, and should not take the earliest means of redressing them? He asked the House—he asked every man who had a heart in his bosom—[*Laughter*]—he did not wish to take hon. Members at their word, and to suppose that they had not feeling hearts in their bosoms—he did not think so badly of those who laughed—but he asked them to go only a short journey and to witness for themselves the sights to be seen in many parts of Ireland at this moment. They talked about the wretchedness in London. They talked about turning out the poor, so that they might be able to make better streets; but they did not know what it was to be turned out upon the wild wastes, in the midst of storm, and misery, and hunger, and wretchedness. Would they do nothing for these people? Would they fight this Bill, as it would be fought?—for the note of fight had already been sounded in that House — would they leave the Bill to be fought, as it would be, clause by clause, probably line by line, and still leave these starving people where they were? What was to prevent the Government from introducing their Bill for dealing with arrears, and for stopping evictions, at the same time as this Bill? Were they so eager for vengeance that they could not think of mercy? There was another thing that ought to be remembered. Whatever Bill the House might pass of a further coercive character for Ireland, everything would depend on the character of the persons by whom the law was to be administered. He did not say it for the first time, and he would willingly not say it if he could help it to-night, but he had no confidence in the Resident Magistrates of Ireland. The right hon. Gentleman the Home Secretary knew this very well, for he (Mr. Mitchell Henry) had told him so over and over again; and he knew, too, that he (Mr. Mitchell Henry) had told him many other things, to which very little attention had been paid; but he was prepared to say this positively, that if what had been recommended to the Government had been done, the present condition of things would not have occurred. When this Bill should have been passed they would still have to rely, at least, upon the willingness of the people to believe in the justice of the law; and until they were able to do that they would have no peace between this country and Ireland. He would not have made these observations if it had not been for the remarks which had fallen from the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster). He thought it would have become the right hon. Gentleman much more to have insisted that the wretched people who had been under his care, and whose lives had been in his hands for the past two years — that these wretched people, whom he knew to be starving on the sides of the hills in the wilds of Connemara, and who were innocent of crime, should at least have some kind of remedial legislation applied to them. That would have been a course he should have expected the right hon. Gentleman to take; and he thought that the right hon. Gentleman was that night, perhaps, not altogether accountable for all that he had said. ["Oh!"] He was sorry to say there were hon. Gentlemen who always seemed to be on the watch for some chance expression, in order that they might put a low interpretation upon it. They knew, or ought to know—for they were Members of the House of Commons and gentlemen—that he alluded to the sad event at which the right hon. Gentleman had assisted that day, and which had probably so deeply moved the right hon. Gentleman as somewhat to have overpowered his judgment. He looked still for better things from the right hon. Gentleman. He looked to him still as the champion of the poor suffering people whose case he had described; and he (Mr. Mitchell Henry) would yet cherish the hope that the right hon. Gentleman would, in the course of the debate on this subject, and in his private communications with the Government, see fit to lend the weight of his great authority to the demand which he (Mr. Mitchell Henry) now made in the name of common justice, common humanity, common decency, and of common sense too, that the Bill for dealing with arrears and putting a stop to evictions should be brought in with as great celerity as this Bill had been that night, and that it should be pushed on with equal determination and rapidity.

Mr. HEALY said, he understood that this Bill was to be described as a measure for the preservation of law and order in Ireland. He thought it would be much better described as a measure for the better preservation in Office of the Liberal Party. He remembered reading, two or three years ago, when the late Government were in Office, towards the close of their sixth or seventh Session, that they brought in a kind of dissolving Bill, which was described as a Bill for continuing and maintaining themselves in Office. He believed that if the present Government could preserve themselves in Office for six months by bringing in a Bill to proclaim martial law throughout the whole of Ireland, or to place Ireland under the dictatorship of the Lord Lieutenant, for the purpose of assisting them in remaining in power, they would gladly bring in such a Bill. Personally, he was not sorry that this Bill had been introduced, and that it was as stringent and as drastic as it was. His reason was that it would destroy for ever the last vestige of that absurd idea that there could ever be peace between Ireland and England. It would destroy the rubbish people talked about compacts and compromises; as if any one man had power to make compacts or compromises behind the backs of his Party, or as if that Party would tolerate them. So far as the Bill itself was concerned, he did not say that he either rejoiced at or deplored its introduction. Let them consider the pretexts on which the Bill had been introduced. The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) said, with great truth, that the murder of Lord Frederick Cavendish had been preceded by other murders of equal horror. [" Hear, hear! "] He thought those cheers, if the fact were really so, amounted to a condemnation of the Treasury Bench. He must say that, as far as he was concerned, he entirely concurred in the statement of the right hon. Member for Bradford. There had been previous murders of equal horror; but, of course, it would strike the public mind in Ireland that to kill a peasant was no great matter; whereas, if a lord were killed, they had a Coercion Bill introduced such as had not been seen since the days of the Penal Laws. That was the first interpretation that would be put upon the Bill. There had been murders of equal horror which had not been committed by the peasantry, but by the police. Those murders, however, he would not dwell upon, because the House was not fond of listening to any condemnation of the police, and that charming body might be left to the protection of the House. Then let the House consider what it was they were attempting to strike at by this Bill. They were told that the Bill of last year aimed, not at secret societies, but at the Land League; they were told "that crime dogged the steps of the Land League." There was now no more a Land League, and now they were told that the Coercion Bill of 1882 was directed against secret societies. These things were apt to be progressive. In 1870, the Government of the day, of which the right hon. Gentleman the Prime Minister was the head, passed a Coercion Bill. There was no Land League at that time, and not many secret societies, and the Act, therefore, was said to be directed against certain newspapers, in order to put down seditious writing. It was said that crime sprang from seditious writing, and the Act gave power to the Lord Lieutenant to establish law and order by suppressing the newspapers and seditious writing. The Coercion Bill of 1881 was aimed at the Land League, an open movement. The present one struck at secret societies. When the Coercion Bill of 1885 was brought in it might be directed at revolution, because, as he had said already, these things were apt to be progressive. But what the Government really wanted to put down in Ireland was Irishmen. If they would only bring in a Bill to put down Irishmen, they would have no further trouble; and as there could be nothing too sweeping for the Treasury Bench to adopt, he would recommend them to bring in a Bill of that kind and pass it without delay. The present Bill was only to last for three years. The Bill of 1881, which had not yet expired, was only to last for 18 months. The right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright) told them that if only the House would pass that Bill it would be unnecessary, at the end of 18 months, to renew it, because Ireland would be completely pacified and contented by the beautiful and beneficent legislation which the Government were about to introduce; but he remembered very well having made the remark that it might as well be passed for ever. They were told by the Government last year—"Give us this Bill, and there will be no more necessity for coercion." He challenged contradiction when he said that nothing which had occurred under the *régime* of the right hon. Member for Bradford (Mr. W. E. Forster) had exceeded in horror what occurred in Sheffield in 1867. If any hon. Member would take the trouble to read the Report of the Royal Commission which sat upon the "rattening" at Sheffield, he would find that the crimes perpetrated under the auspices of Broadhead were of a far more atrocious character than anything that had happened in Ireland. But was there a Coercion Bill for Sheffield? Had they to expel from the House at that time the hon. Members for Sheffield on account of their strong opposition to the Coercion Bill for Sheffield of that day? Was it passed amid the cheers of the House; and had law and order ever since prevailed? Was that the case? Nothing of the sort. The House did not appoint its Major Bonds and Clifford Lloyds as Resident Magistrates, but it appointed a Royal Commission; the causes which had led to the commission of outrage were removed, and nothing more was heard of outrages in that locality. But in regard to Ireland, the longer a man sat in that House the more hopeless he became. For his own part—and he had no wish to make the remark from any motive of disrespect—he would sooner address an assembly of Zulus, so far as information and sympathy were concerned, on the affairs of Ireland, than the very distinguished Assembly he had then the honour of addressing. Let them consider for a moment the provisions of the Bill. To begin with, the right hon. and learned Gentleman the Home Secretary had stated that the main cause of disturbance in Ireland was that there was no security for the punishment of crime, and the right hon. and learned Gentleman attributed that want of security to the fact that juries would not convict, on account of the intimidation to which they were subjected. But did the right hon. and learned Gentleman preface that statement by any facts? Did he tell the House in how many cases juries had refused to convict in Ireland? Did he give any statistics of agreements or acquittals? Nothing of the sort. The right hon. and learned Gentleman said it was because the jurymen were afraid of the knife of the assassin, the dagger of the murderer, and the pistol of somebody else, that they refused to convict; and that shots had been fired into their houses to intimidate them. Now, he (Mr. Healy) totally denied the assertion, and he defied the right hon. and learned Gentleman to give a single instance of the intimidation of a jury in Ireland. Yet it was to be remembered that it was upon that charge that the whole of the right hon. and learned Gentleman's case for the Bill depended. The right hon. and learned Gentleman said that shots had been fired into the houses of jurymen. Let the right hon. and learned Gentleman produce his evidence and give the House his statistics. He (Mr. Healy) totally denied it. What they wanted in Ireland was evidence, and they could not get it. If evidence existed the police were unable to find it, and the consequence was that the criminals were never brought before a jury at all. He would tell the House more. With this wonderful police system in Ireland—with 12,000 police-constables — there were actually more police in any one year than criminals. Let the Government be open and candid, and tell the House whether they had ever yet furnished the Irish juries with criminals they could convict, or with evidence to justify a conviction. They had done nothing of the kind; and, under those circumstances, what was wanted was a Bill which should first supply the evidence that was to insure the conviction of the offender. He must say that the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) was generous in his treatment of the Irish people as compared with the right hon. and learned Gentleman the Home Secretary. The right hon. Member for Bradford reasonably suspected them without evidence, or on the evidence of his police, and gave them free quarters in Kilmainham. But the right hon. and learned Gentleman the Home Secretary appointed three Judges to suspect them, and those three Judges would have the power of punishing the persons suspected by sentences of penal servitude, or even hanging; such punishments being really a trifle in future in Ireland. The right hon. and learned Gentleman had been careful in concealing from the House what the penalties were which this extra tribunal was to have the power of inflicting. Were they penalties in accordance with the ordinary law? Would the three Judges, when they convicted under this Bill, have more powers than under the ordinary Statutes? The right hon. and learned Gentleman did not even tell them what the penalty for taking a moonlight walk was to be. The offence was one which was humorously described by Mr. Disraeli in the year 1874. Mr. Disraeli said, in effect—"You go out; you take a look at the stars, and a policeman coming up, says, 'What are you doing?' 'I am looking at the stars.' But the policeman says, 'No, you are not,' and takes you before the magistrate. The magistrate does not believe in stories of the stars. Astrology has never been very popular in his district; and he accordingly sentences you to fine and imprisonment." Now, he (Mr. Healy) wanted to know what was to be the penalty for these enormous crimes?

SIR WILLIAM HARCOURT: In a summary conviction the extreme penalty is six months.

MR. HEALY said, he thought that was a very extreme penalty for taking a moonlight walk. He thought the right hon. and learned Gentleman very well described it as an extreme penalty, and therefore he (Mr. Healy) would not attempt to add anything to the description. He would proceed to deal with the new commission to be given to three Judges. If the Government had brought in a Bill which went to no further extent than giving power to three Judges to convict summarily in disturbed districts, he should not feel inclined to offer opposition to the measure in the present state of heated English feeling. But who were these Judges? If they were ordinary Judges he would say, very well, let them have these powers for two years. There had been such a fuss and outcry made that the Government must do something, and it was only the natural penalty the Irish people must pay for being governed by English political Parties. Chief Justice May was a Judge of very great erudition as regarded law; but he was appointed because he was a "True Blue"—a man and a brother with the Conservative Party. What he objected to was that Chief Justice May and men of his kidney were to be intrusted with the carrying out of so severe a law in Ireland. Then, again, there was Justice Fitzgerald—an admirable Judge—for whom the Irish people spilt their blood in the county of Clare years ago; and who would now, doubtless, reward them in return by spilling their blood at the command of the Government. ["Oh!"] If that was not the Bill, he was unable to describe it at all. It was a Bill to give hanging powers to three Judges on any evidence that might be trumped up before them. ["Oh!"] The hon. Gentlemen who cried "Oh!" might put what gloss they liked upon the Bill; but he (Mr. Healy) preferred to have his own opinion. One hon. Member (Mr. J. W. Pease) who was active in crying "Oh!" had just received a reward from Her Majesty's Government, and appeared to be about to rise at the moment he (Mr. Healy) caught the eye of the Speaker. No doubt, when the hon. Member proceeded to address the House, he would be able to earn his reward by the support he gave to the measure, and by putting in silken terms and honeyed phrases what he (Mr. Healy) had described as spilling the blood of the Irish people. He came now to the next part of the Bill, which dealt with the power of search. The power of search, they were told, was to be intrusted only to a person who enjoyed the possession of the Lord Lieutenant's warrant. But they all knew how difficult it was to get a warrant from the Lord Lieutenant. There had only been 970 warrants issued by the right hon. Member for Bradford; and it made little matter whether, in the course of carrying out those 970 warrants, females had been routed out of their beds by Inspector Smiths and Clifford Lloyds, in the middle of the night. That was only what the right hon. Member for Birmingham (Mr. Chamberlain) would call "a hateful incident." The Liberal Party had been in Office just two years, and there had already been two of these hateful incidents. One had lasted 18 months, and the other would last until long after the period when the Liberal Government would have gone into a quarter which he would not describe. The right of search, which, of course, the Government regarded as a proper right to place in the hands of the police, and which they, of course, said would not be wrongly used, was to be given to those worthies, the Sub-Inspectors, of whom the House had heard so much already. It appeared from the statement of the Home Secretary, that this right was to be used for discovering the mask and dagger of the assassin. It was to be regretted that the right hon. and learned Gentleman had not provided himself with a complete list of stage properties, which he (Mr. Healy) advised him to do on the next occasion that he described what it was that the right of search was likely to bring to light in Ireland. But what was this right of search? It was the right of any policeman, who obtained the warrant of a Sub-Inspector, to annoy Irish citizens at any time of the day, night, or week, during the next three years; to enter and ransack their houses; to turn the occupants out of bed, and, as had been done under a warrant signed by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), to compel decent women to dress themselves in the presence of the police. Then it appeared that persons who gave no account of themselves, and who were found prowling about at night, were to be brought before the magistrates. He had already, when the right hon. Gentleman the Member for Bradford was in Office, referred to the description which had been given of this offence—namely, that of taking a moonlight walk. But, whatever might be intended, there could be no doubt as to the view which Mr. Clifford Lloyd would take of the matter. And then, again, the term "night" was vague. Did this mean between certain hours by Greenwich time, or between sunset and sunrise? If it meant the former, perhaps the right hon. and learned Gentleman the Home Secretary would be in a position to provide the necessary number of watches regulated by Greenwich time. But the effect of this provision would be that a man returning from market, say on Saturday night, might be met by a policeman for whom he had a dislike, and being suspected by that policeman of prowling about, would be taken before Mr. Clifford Lloyd, who would sentence him to be imprisoned for six months. Then the same power was to be taken against strangers. Irish Members had been invited in *The Standard* newspaper to make a penitential pilgrimage to Ireland for the purpose of denouncing crime; but were they to do so, they might come under the category of strangers as well as "pilgrims," and be dealt with under the measure which the Government proposed to introduce. Even in the case of an American tourist, or that of a commercial traveller engaged in selling his wares, Mr. Clifford Lloyd would have the power of sending them to prison for six months. Power was also to be taken for reviving the Alien Act; but with this provision he had little fault to find, if it also applied to England, for he begged leave to point out that there were as many ruffians of foreign origin in England at the present time as there were in Ireland, and he thought the country would be well rid of them all. When, therefore, the Bill was in Committee he should invite hon. Gentlemen who now cheered his remarks to assist him in carrying an Amendment which he intended to move for extending this provision to England; and he hoped he could count on those sturdy Radicals opposite to follow him into the Lobby. The Bill was next to give power to the magistrates—Major Clifford Lloyd, Major Bond, Major Traill, and all the rest of the paraphernalia of military government in Ireland—to sentence people to imprisonment for what was called intimidation. But what did the Government mean by the term "intimidation?" They were perfectly familiar with Mr. Clifford Lloyd's view of what constituted that offence. That gentleman called it intimidation to put up a Land League hut to cover evicted tenants, which most people regarded as an act of charity, and which the people of Ireland called sheltering the homeless. Was it not true that Mr. Clifford Lloyd had sentenced a lady who erected a hut for this purpose to six months' imprisonment? Had not Mr. Clifford Lloyd enough power in his hands already; and if that were so, if he could put a lady in prison under the ordinary law already in existence, what need was there for this provision of the Bill? The Home Secretary was an able lawyer; he was said to be greatly skilled in ancient Law, and must have read the Statute of Edward III. He invited the right hon. and learned Gentleman to go into the Library of the House, and make himself thoroughly acquainted with the provisions of Statutes already in the hands of the Government, before he made the mistake of adding to them an Act of this kind, Then, participation or membership in secret societies came under the provisions of the Bill. The Bill was not necessary for dealing with that, for the Government had already the power of giving people 10 or 20 years' penal servitude for membership in secret societies. But the right hon. and learned Gentleman would give people six months' imprisonment summarily, because Mr. Clifford Lloyd, and magistrates of that class, thought they were members of such societies, and would need no evidence. Here, again, what the right hon. and learned Gentleman wanted, as in the case of the three Judges who were to be appointed, was evidence, and so he placed this power in the hands of men who he knew would require no evidence. Under the ordinary law evidence was required; but these two worthy magistrates, Major Clifford Lloyd and Major Bond, required none. If that were not so, and it was proposed to convict and punish persons for being members of secret societies, they should consider what was the evidence on which these magistrates were to convict. Was it to be the evidence of informers like the man in the county of Louth, who swore that £100 had been offered him to shoot a Sub-Inspector, and who was scouted out of Court by the brother of Mr. Justice Keogh? The magistrates, under this Bill, would, perhaps, be less nice. Before the Bill became law, Irish Members would have something to say upon this question; and, unless some guarantees were given as to the character of the evidence that would come before men like Mr. Clifford Lloyd, this clause of the Bill would not pass quite so easily as the right hon. and learned Gentleman might expect. The next provision dealt with riots calculated to promote intimidation and aggravated assaults on constables. These were to be summarily dealt with; and, while upon this subject, he asked the right hon. and learned Gentleman if a provision of this kind would not answer admirably in the Cornish villages? Would the right hon. and learned Gentleman apply it to the peace-loving gentlemen who forcibly entered chapels and broke people's heads at Camborne? The next clause dealing with intimidation had been admirably described by the Home Secretary as a wide clause. The crime of intimidation had been invented by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), and it had been well described by the hon. Member for Sunderland (Mr. Storey) as A B inciting C D to prevent E F paying rent to G H. Such was the crime that would, undoubtedly, require the "wide clause" of the right hon. and learned Gentleman for the purpose of dealing with it. But a clause of this description administered by men like Mr. Clifford Lloyd would put a stop to anything like public action within the sweep of his jurisdiction. No one even would be able to go down to his district to make a speech to his constituents asking them to vote for him or not to vote for his opponent, but Mr. Clifford Lloyd would consider it an act of intimidation. He thought it would not be a bad thing if the character of the men who would be dealt with under this clause of the Bill could be brought home to the minds of hon. Members; because, had the House had an opportunity of seeing the men whom the right hon. Gentleman the Member for Bradford had sentenced to 18 months' imprisonment, he believed they would have been slow to pass the Coercion Act which gave him that power. But they had not seen the men against whom the right hon. Member for Bradford exercised his powers, nor would they see the men against whom Mr. Clifford Lloyd would exercise his power of dealing with intimidation. Next, there was a clause for dealing with newspapers inciting to crime. In the exceedingly lucid speech of the Home Secretary it was not stated who was to be the judge in these cases. Was this clause to be carried into effect by the Lord Lieutenant, the three Judges, or by Mr. Clifford Lloyd? The right hon. and learned Gentleman was singularly non-lucid on this point; and, therefore, before the Bill was allowed to be introduced, he thought they were entitled to further information. Perhaps the Home Secretary would also state the amount of the penalty to which these newspapers would be subject, and whether the fine as well as forfeiture was to extend to the New York papers, for instance?—because it was alleged that most of the intimidation practiced in Ireland came from foreign countries. The right hon. and learned Gentleman then proposed to give power to the Lord Lieutenant to send additional police to a district, and to levy an extra tax in consequence upon the inhabitants. [*Cheers.*] Had he been addressing a Zulu Legislature, it would not have been surprising if his remarks were received in its ignorance with loud cheers. But, would not the Zulus have been surprised to learn that the power now asked for the Lord Lieutenant already existed; that additional police were continually being sent to various districts in Ireland, and that those districts were made to pay for them? Lastly, the Grand Juries were to have the power to levy compensation for malicious injuries. To-morrow he proposed to move a Resolution relating to Irish Grand Juries, which he contended were effete institutions. Although he did not object to compensation being awarded, he strongly objected to its being assessed by the Grand Jury. They had before them the statement of the hon. and gallant Member for Galway (Colonel Nolan), which showed that when the Grand Jury in his district proposed a levy, they excluded their own estates, and made the tenants of the hon. and gallant Member pay the entire amount of the fine. If the proposal were that there should be a levy for malicious injuries to person as well as property, to be assessed by Grand Juries elected by the people, he should have supported it; but so long as Grand Juries in Ireland were chosen by the Sheriffs from amongst the magistrates and landlords, so long as the Sheriffs were appointed by the Government, and there was no popular check whatever upon their appointment, so long should he oppose a provision of the kind referred to. ["Oh, oh!"] Even if one were addressing a Zulu Assembly, it might be expected that on a Bill of this kind the statements of those who spoke on the part of the Irish nation would meet with some consideration. If it were doubted that he and his hon. Friends had the right to speak on behalf of the Irish nation, he invited the right hon. Gentleman the Prime Minister to dissolve Parliament, and then it would be seen who had that right. He would, before concluding his remarks, remind the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright), who stated that this Bill was not aimed at political discussion or political opponents, that he had made use of exactly the same words as were used by the Government last year when they introduced the Coercion Bill. The Prime Minister told the House that the Bill was not intended to operate against the right to hold public meetings, that it was not directed against the Land League, that it was not directed against organization—against the right of association, or even the right to agitate against contracts; and Mr. Forster told them that it was directed against dissolute ruffians, village scoundrels, and midnight marauders. He was afraid the promise of 1882 would not be more scrupulously kept. As Irish Members were continually asked to disavow any association or any sympathy with crime, he would remind the House that when a questionable statement was made in Ipswich, and attention was called to it by the hon. Member for Louth (Mr. Callan), the Prime Minister did not think it worth his while to throw over his followers. [Mr. R. N. FOWLER: Hear, hear!] He was glad he had the applause of the worthy Alderman; and now he should give the Conservatives a chance. At a meeting—he quoted from *The Manchester Examiner and Times* of Wednesday, May the 10th—held at Bolton, and which was presided over by the Rev. Henry Baxter, a London editor of a Christian journal—Mr. R. Pennington—in moving a vote of confidence in the Conservative Leaders, said—

> "If Joe Chamberlain had been stabbed in the Park, he would have met with his just deserts."

The statement was reported to have been loudly cheered; and he would like to ask if there was to be any Bill of this kind for Bolton? Point out to him anything within the whole range of what they called Irish intimidation equal to the statement of Mr. Pennington. Would the Conservative Leaders, in whom Mr. Pennington moved a vote of confidence, get up and denounce the statement of that gentleman? Of course, if they did, it might be said, as was said of some Members of the House, that their statements were mere hypocrisy and lip-service. In the future it would be the duty of Irish Members to let England govern Ireland as best she could; they washed their hands of the business. The Government refused to take the advice of Irish Representatives. They said he and the hon. Gentlemen with whom he acted did not represent the majority of the Irish people.

They challenged the Government, however, to dissolve. That would test the matter. In the future Irish Members would have to disavow and dissociate themselves from any responsibility with regard to the government of Ireland. On the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) he charged the responsibility for everything that had happened in Ireland during the last two years. To the right hon. Gentleman's policy the miserable state of the country was owing. They told the right hon. Gentleman what would happen when once he took the first forward step on the path of coercion, "the primrose path which led to the everlasting bonfire." It had led him and his Party into a very serious quagmire; there were further dangers and difficulties ahead; and the Irish Members, while washing their hands of any responsibility for the government of Ireland, told the Government to "Pass their Bill and do their worst."

MR. J. W. PEASE said, he rose some time ago for the purpose of deprecating what he might call a second reading discussion upon the introduction of a Bill. Of late years the House had got rather into the habit of adopting the plan—and, he must say, the rather dangerous plan—of taking a second reading discussion upon a Motion for the introduction of a Bill. During the present evening they had seen a number of points raised on the Bill that were not suggested by the right hon. and learned Gentleman below him (Sir William Harcourt) in introducing the Bill. Hon. Members below the opposite Gangway were really discussing a Bill, which at first sight seemed objectionable, without really having its provisions in their hands. When they began to deal with such delicate matters as the right to hold public meetings and the liberty of the Press, the whole question really depended upon the wording of a clause. Hon. Gentlemen below the Gangway on the opposite side of the House had, in very strong language, and in language which he had no doubt the House believed, deprecated the awful crime which was before every man's mind that evening; but let him remind hon. Gentlemen who sat on the Irish Benches opposite that whilst the House fully believed in their declarations when they joined with the rest of the House in their horror, the House was convinced that there must be in their country a substratum, which he hoped hon. Gentlemen opposite knew but little of, hiding the men who had committed the dastardly crime of last Saturday, otherwise those men would have been discovered and brought to justice. He deprecated going into the clauses of the Bill until he had the Bill in his hand and saw what it contained. It seemed to him to avoid what he had always thought the worst feature of the Bill of his right hon. Friend the Member for Bradford (Mr. W. E. Forster); it contained no power whatever to place men in gaol without a trial of some kind. He had thought his right hon. Friend would always have great difficulty in bringing either side of the House to vote again for imprisonment without trial. To have 600 or 700 men in gaol without trial was so repugnant to the general feeling of Englishmen, that he was glad the proposed Bill provided for some trial. He hoped the House would be content to allow the Bill to be brought in, reserving its judgment until they saw the exact wording of the clauses.

MR. GOSCHEN: I do not propose to touch on any of the clauses of the Bill; but I wish to say that of the many painful debates which have taken place in this House with regard to Irish affairs, I doubt whether we have ever had greater pain than we experienced in listening to some of the speeches tonight. We have been startled and harrowed by the character of the calamity of Saturday last; but no sense of the fearfulness of that calamity was apparent in some of the observations that have been addressed to the House. But if the English people, and if this House, have been able to maintain a calm attitude, even under the provocation of that fearful crime, I do not think they will abandon that calm for any different attitude by reason of the speeches to which we have listened. It cannot be denied that those speeches were provoking enough; they have been directed against the dignity of this House; they have been directed against almost every institution which we cherish and which we love; contempt has been poured upon the whole of our administration; but that will not deter this House from pursuing this debate, and pursuing this painful legislation. The hon. Member for Wexford (Mr. Healy), in discussing some of the clauses of this Bill, made merry of the paraphernalia of those midnight outrages which have already shamefully disgraced Ireland. It is very well for the hon. Member to speak of stage properties, such as the mask of the assassin; but it is a very different thing to those who have suffered from those outrages, and to the relatives of those who may have lost their lives at the hands of these midnight marauders. The hon. Member speaks lightly of the moonlight walks. I should have thought the name of "Captain Moonlight" was connected with too many painful associations for the hon. Gentleman to speak of it so lightly. Such was the temper of the hon. Member for Wexford. I will say little of the speech—the bold speech—of the hon. Member for Tipperary (Mr. Dillon), who told us that he could not deny that the Irish peasant had sympathy for crime. I am glad that that was not said by any English Member. If that be so, if it is the painful truth that there is sympathy with crime amongst the Irish peasantry, I ask the House—is not legislation called for to deal with that frightful state of things? Can Irish Members come forward and make that painful confession, and still say that no legislation of this kind should take place? An hon. Member—I think it was the hon. Member for Tipperary (Mr. Dillon)—said that England, in view of these frightful difficulties, would wish Ireland to be cut loose from her. That time will not come. I believe that every English Member of this House, and a majority, at all events, of the Irish Members in this House, will say that England—I will not only say England, but Great Britain and Ireland—has had to confront dangers of this kind before, and will know how to deal with this Irish difficulty, and that neither menace from abroad, nor assassination at home, will deter us from our course. It may be that the task will, week by week, month by month, and year by year, be more difficult; but the difficulty will be grappled with, and it is of no use for hon. Members to attempt to coerce this House by such menaces as we have repeatedly heard from the Benches opposite. And there is another course from which I hope this House will not swerve. Hon. Members opposite delight to say that we are foreigners as regards Ireland. The hon. Member for Wexford (Mr. Healy) dared to say that we had no more sympathy with Ireland than if we were a foreign country. As we shall not be moved in our desire to remain united with Ireland by fear, so we shall not grow less weak in our sympathy for Ireland by all that occurs; and though we may be told over and over again that we are foreigners, we shall so attempt to frame our legislation as to prove—and the Government have done their best during the last two years to prove—that we are alive to the interests of Ireland. But a few weeks ago—but a few days ago—the Irish Leaders said that they acknowledged the spirit in which the Government were dealing with Ireland; and because, when a fearful crime has been committed, the Government are trying to deal with the state of things which rendered possible such a crime, are hon. Gentlemen opposite going to say that the Government shows less conciliation, less sympathy, and less friendship with Ireland? Has not the Government toiled and worked for Ireland during the last two years? Has this House not worked for Ireland? [“No!”] The constituencies of England know whether sacrifices have been made for Ireland or not; the constituencies that have wished to see their own work done have consented that the whole time of Parliament almost should be devoted to redress Irish grievances. Legislation, so great and so vast in its proportions, has taken place in order to satisfy Ireland that Europe has been surprised at the magnitude of the efforts of England to redress her past wrongs towards Ireland. But in the face of those efforts, in the face of all that has been done, because the Government will not look on quietly while such crimes are being committed as those which we have seen, the Irish say that there is no sympathy with Ireland in England, and that they are foreigners in this House. [Mr. PARNELL: We do not say that.] The hon. Member for Wexford spoke of the absurd notion of creating sympathy between England and Ireland. Does the hon. Member for Wexford deny it? [Mr. HEALY had left the House.] The hon. Member made that statement, and I heard no cries of "No, no!" from his Colleagues. The hon. Member for Wexford, at the close of his speech, said that if this legislation were to be continued he would not be responsible for what might happen. We do not want the responsibility of hon. Members opposite. It is for the Executive Government of Great Britain and Ireland to deal with this crisis, and it is not for hon. Members who have been steeped in treason.

MR. ARTHUR O'CONNOR: I rise to Order, Mr. Speaker. I ask you to rule, Sir, whether the right hon. Gentleman is in Order in alluding openly to a particular section of this House as being Members "steeped in treason?"

MR. SPEAKER: If the right hon. Gentleman used the expression towards any particular Member or body of Members of this House he was certainly not in Order.

MR. GOSCHEN: I bow to the Speaker's ruling, and I withdraw the expression. But I will say this—that it is not for hon. Members who have signed a "no rent" manifesto, it is not for hon. Members who have threatened to do all they can to diminish the ties which bind England and Ireland together, it is not for them to undertake the responsibility for the government of Ireland. This country would indeed deserve to be looked upon with reproach and contempt if the Government were to ask the active Leaders of the Home Rule Party to be responsible for the peace of Ireland. We are here the Representatives not of England alone. We sit in the Parliament of the United Kingdom of Great Britain and Ireland; and, Sir, I trust that in the face of Europe, and for the sake of those who come after us, we may still be capable of dealing with this problem in a spirit of firmness, but, at the same time, in a spirit of sympathy with Ireland.

MR. LEAMY said, the right hon. Gentleman who had just sat down had attempted to pursuade the House that this Bill was aimed at the prevention of crime, while the fact was that it was aimed at the liberties of the Irish people. He had hoped, when he came down to the House that evening, there would have been little or no necessity for the Irish Members to occupy the time of the House; and his hopes were strengthened when he heard the right hon. and learned Gentleman the Home Secretary state that the present Chief Secretary to the Lord Lieutenant was in Ireland for the purpose of pursuing a policy of peace and conciliation upon which Her Majesty's Government had so lately resolved. They had, however, heard the principles of the Bill unfolded to them. Though he was not quite prepared to adopt the suggestion of his hon. Friend the Member for Dungarvan (Mr. O'Donnell) and allow the Bill to pass without some attempt at amending it or rendering it less obnoxious, he could not help feeling that if it did pass in its present shape it would not be an unmixed evil. They had been longing that the day would come when the true character of English government in Ireland might become known to the peoples of Europe. They had been unable to make much impression, because the English Press was always between them and the ear of Europe. If this measure passed into law, then every nation in Europe would be able to see the true character of English legislation in Ireland. When the Coercion Bill, at present in force, was being introduced by the late Chief Secretary, the right hon. Gentleman told them, over and over again, that it was only intended to deal with village ruffians. They knew that under the operation of the Act the most respected and most trusted Leaders of the Irish people had been arrested. They were told now that the Bill now introduced was only intended to deal with secret societies and unlawful combinations. The Irish people knew full well that before the Bill had been in force six months not only secret societies and illegal combinations would be dealt with, but every combination which the Irish people might form for the advancement of their national rights would be interfered with. The right hon. and learned Gentleman the Home Secretary had told them that it was the intention of the Bill to confer trial upon Judges. He would like to give them the opinion of Mr. Justice Barry, a Judge whose opinion was highly respected even in legal circles in England. Mr. Justice Barry said—

> "I am of opinion that the Irish Judiciary has the confidence of the people."

And he went on—

> "I think to do anything to destroy that feeling of confidence would be a great misfortune and a great disaster to the country, and I am satisfied that to send Judges to try men without a jury would destroy that confidence, and I do not think you could ever replace that confidence."

That was the opinion of Mr. Justice Barry. Since the Irish Judge was now to be made Crime Prosecutor and Judge and juror, all in one person, he (Mr. Leamy) would suggest that the Government, in cases of murder, should enable him also to become the hangman. In fact, like Lieutenant Heppinstall, in 1798, a Judge might be made Judge, jury, gallows, rope and all. They were also told by the right hon. and learned Gentleman that, under this Bill, there would be power given to search for arms. They were told that power would be given to forfeit a newspaper that might incite to crime; and, after making that statement, the right hon. and learned Gentleman proceeded to say that power would be taken to bind over the editor of the paper in a sum of money not to offend in future. What he thought the right hon. and learned Gentleman was about to say was that power would be given to forfeit the paper, but that the owner would have the right of appeal. Under the Bill, also, the right hon. and learned Gentleman told them that policemen were to be empowered to search houses for instruments of crime. The right hon. and learned Gentleman surely ought to remember it was only last year he brought in the Arms Act, which conferred almost similar power; and if they were to ask the late Chief Secretary what was the result of the searches under that Act, he would be bound to tell them that, in nearly every case, they were fruitless. If that was so under the Arms Act of last year, they had a right to suppose it would be so under the proposed Act. It was now also proposed to increase the summary jurisdiction of magistrates. He agreed with an hon. Friend that if summary jurisdiction in small cases were given to the highest Judges in the land they would have no reason to object; but to give summary jurisdiction to men who were not trusted by the people would be to place the liberties of the people in the hands of those men. They knew how the law had been administered by Mr. Clifford Lloyd; they knew how boys who whistled in Limerick had been sent to gaol; they knew how the most trivial acts on the part of the people might be construed into an offence against the law; they had seen hundreds of men sent to gaol under the present Coercion Act on suspicion of being guilty of offences against the law; they knew that when the present Bill came into force the men who had been sent into Kilmainham might very possibly be sent into penal servitude. The right hon. and learned Gentleman did not tell them whether, in case of summary jurisdiction, the ordinary right of appeal was to be allowed. A man might be arrested for strolling out at night; he might be brought before a Resident Magistrate—before a regimental officer who had left his regiment under a cloud, and this official would have the power to sentence the man to six months' imprisonment, and apparently there was no power of appeal. For these reasons, he ventured to offer his most strenuous opposition to the Bill. He would ask the right hon. and learned Gentleman not to be too sanguine of the effect of the measure. The right hon. and learned Gentleman ought to remember how the late Chief Secretary prophesied that if he got his Coercion Bill it would be unnecessary to arrest scarcely anybody; that the evil would fly out of the country at the mere mention of coercion; and that if he got the Bill, possibly in a month or two, there would be no necessity to put it in force. The present Coercion Act was a failure, and now the Government were introducing another. He would like to know what kind of coercion they would introduce this time 12 months? The proposed measure would strengthen the hands of the men who were in favour of crime and outrage, and who were opposed to a policy of conciliation and peace; it would tie the hands of the men who desired to promote a policy of conciliation and peace in Ireland. How, on earth, could men go forth and ask the people to trust a Liberal Government when they had this measure in their hands?

Mr. JOSEPH COWEN said, that if the explanation of the Bill by the Home Secretary was correct, it was needlessly long. What was proposed might have been very easily accomplished in one clause, which could have provided that the liberties, lives, and property of the Irish people should be intrusted to the care of the Viceroy. He regretted that the Government had introduced such an unnecessarily stringent measure. He believed there was behind them, in Ireland, a force of public sentiment in favour of law and order that had not existed for some generations past. That force would have been of great service in the administration of the law; but the Government had disregarded it. They had gone too far. There would be a revulsion of feeling, and they would have to take the consequences.

SIR WILLIAM HARCOURT: I regret we have not the approbation of the hon. Member for Newcastle (Mr. J. Cowen); but we have become used to it. There is no course that Her Majesty's Government could adopt which would please the hon. Gentleman. If we adopt a policy of conciliation, the hon. Member for Newcastle is silent; if we feel obliged to adopt measures of coercion we find him against us; and, therefore, we must console ourselves under a disapprobation that we must always expect. There are one or two points which have been raised to which I would like to refer. The hon. Member for Tipperary (Mr. Dillon) made a most impassioned speech. Deeply as I regret the opinions he entertains, and strongly as I differ from him in opinion, I have never failed to recognize the sincerity of his convictions; but, Sir, there was one thing that he said that I wish entirely to deprecate. When he was speaking of the placard in which he and friends of his had called upon the Irish people to take part in giving up to justice the assassins of last Saturday, he said that if we chose to reject the aid of himself and of his friends in such a task we must take the consequences. Sir, we have not rejected the aid of the hon. Member for Tipperary. In the present state of Ireland, the Government will reject the aid of no man.

MR. HEALY: You will not get it.

MR. O'DONNELL: The hon. Member for Wexford does not speak for me.

SIR WILLIAM HARCOURT: I know we shall not have the aid of the hon. Member for Wexford (Mr. Healy). We know that he prefers, to the House of Commons, an assembly of Zulus, and, therefore, we have no right to count upon his aid. But I was speaking of a very different man—I was speaking of the hon. Member for Tipperary. The hon. Member for Tipperary has spoken, in language which I profoundly believe to be sincere, of his horror of this crime; he has declared that he desires to use all the efforts in his power to prevent such crimes, and to lead to their detection. I believe that he is in earnest, and all I have to say on the part of the Government is, that much as they may differ from the hon. Member for Tipperary in his other opinions and his other actions, so far as his action or that of any other man in Ireland is taken upon the side of peace and order, so long as his voice is raised against crime and outrage, we, so far from rejecting his aid, hail his co-operation. I desire to offer that explanation upon what has been said by the hon. Member for Tipperary.

MR. ARTHUR O'CONNOR: Might I be allowed to explain, in the absence of my hon. Friend the Member for Tipperary——

SIR WILLIAM HARCOURT: So far from the hon. Member for Tipperary repudiating what I have said, I rather gather from his gesture that he assented to my remark. There is another point which has been alluded to in this debate. It has been said that Her Majesty's Government have adopted a new policy in this matter since the terrible event of Saturday last. [“Hear, hear!”] Well, Sir, an hon. Member says “Hear, hear!” but I beg to assure him that is not the case. It has been stated before in this House—it was stated in the House of Lords several days before that lamentable event—that the Government had prepared and drawn up the lines of this Bill; therefore, the statement I allude to is entirely unfounded. That is a point upon which there ought to exist no misapprehension. The Government have been anxiously occupied with the condition of Ireland; and this Bill, in its main features, was actually drawn up and prepared before the event of last Saturday. Can anyone suppose that the Government have had time, since that terrible event, to prepare a Bill of this description? Certainly not. It is quite true that in the change that has taken place in the Executive Government of Ireland we have had to consult Earl Spencer upon the details of this Bill, and upon some of its principal enactments; but to say that previous to the assassinations of Saturday we had done nothing is a statement which is absolutely devoid of foundation. An hon. Member took objection to one of the provisions of the Bill—namely, that which places on a locality a charge in respect of compensation for a murder or other serious crime which takes place there? He says—"Why don't you do that in England when a murder takes place?" The reason why this provision is inserted in the Bill is to create in the locality a disposition which does not exist in Ireland, but which does exist in England—a disposition to aid in the detection and repression of such offences. Well, Sir, some hon. Members have said that there is a strong feeling in Ireland in favour of order and against crimes of this description. I believe that that is the case with the great majority of the Irish people; I believe that if the cry against crime has been too little heard hitherto it is on account of the terrorism which a certain body of men have succeeded in establishing over the majority of the Irish people. But it is not against that majority that measures of this description are levelled. It is on account of the existence of a minority, which we cannot afford to despise, who have sympathy with crimes of this description, who are not disposed to assist in detecting or in repressing them, that it is absolutely necessary that the arm of the law should be strengthened. There is one other point which I am glad was disposed of by my right hon. Friend the Member for Bradford (Mr. W. E. Forster); but that the hon. Member for Mid Lincolnshire (Mr. Chaplin) should have thought it worth while, on the ground of some paragraph that he had picked up in what he was pleased to call a leading newspaper, to state that the right hon. Gentleman had been thwarted in his policy in Ireland by his Colleagues in the Cabinet seems to me to show a want of experience in public affairs which I should not have expected in so high and dictatorial a politician. My right hon. Friend (Mr. W. E. Forster) was never thwarted in any of his acts of administration; but when he found that upon some serious points his opinion was at variance with his Colleagues he took the course that any honourable man would take in politics, and severed his official connection with them. Therefore, I think these statements ought not to remain uncontradicted, because they are entirely without foundation. There is only one other point, and that is an important one. The hon. Member for Galway (Mr. Mitchell Henry) referred to the Bill relating to arrears. That is a measure which the Government, while they had this Bill under consideration, were bound to keep in view. We attach enormous importance to the Bill on the subject of arrears, and we shall take the very earliest opportunity we can possibly find to bring that measure under the consideration of the House, with the hope that it will have a good effect on the people of Ireland if passed into law. The House will probably wish to know, in the event of leave being given to bring in this Bill, what course the Government propose to take. It is quite plain that we ought to proceed as rapidly as we can; but the country must have time to see the Bill, and it will be impossible it can be circulated in time to take the second reading before next Thursday.

SIR STAFFORD NORTHCOTE: Will the Bill be in our hands to-morrow?

SIR WILLIAM HARCOURT: I am afraid not to-morrow. We shall endeavour to get it into the hands of hon. Members by Saturday; and, under these circumstances, I would ask the House to take the second reading on Thursday next. I am sure the right hon. and learned Member for the University of Dublin (Mr. Gibson) is sufficiently acquainted with the difficulty of some of the points; and I am sure the House will feel that the recent event affecting the Executive Government in Ireland has made it very difficult for us to proceed more rapidly than we have. We have been in constant communication with Earl Spencer on the details of the Bill; but the Bill is now in a very forward state in draft, and we hope that it may be in the hands of hon. Members by Saturday. At all events, for the present, if the Bill is allowed to be introduced, we shall propose to fix the second reading for Thursday.

MR. R. POWER said, he would reserve any remarks he wished to make on the Bill for the present; but he wished to ask the right hon. and learned Gentleman whether this Bill would be retrospective in its action or not, and also whether the Government would take the Arrears Bill before proceeding with the Procedure Rules?

SIR WILLIAM HARCOURT replied, that, in regard to the Arrears Bill, in the absence of the Prime Minister, he could not say anything definite; and perhaps the hon. Member would repeat his question to-morrow, when the right hon. Gentleman would be in his place. With regard to the question, whether the present Bill would be retrospective, of course any crime which had been committed, and which was brought to justice, would come under its operation.

SIR H. DRUMMOND WOLFF inquired when the Government proposed to go on with the Procedure Rules?

SIR WILLIAM HARCOURT said, he thought it would be time to consider that question when the present Bill had been disposed of.

MR. CALLAN said, he hoped the unusual course of refusing leave to introduce a Bill would not be adopted in this case. He made that suggestion with all the more confidence, because, when the Coercion Bills of last Session were introduced, he believed he spoke more strongly against them than almost any other hon. Member; and in making this suggestion, that no opposition should be offered to the introduction of this Bill, he reserved to himself the full right to oppose the Bill on the second reading, if, on a consideration of the Bill in its printed shape, it should be found to deserve opposition. He would also suggest to the Home Secretary that between now and next Thursday he should introduce a Bill to improve the blundering and imbecile administration of the police in Ireland, for he believed that the administration of justice had been more impeded in Ireland by the blundering and imbecile conduct of the Irish police than by anything else. On Saturday last a tragedy occurred in Ireland, of which every Irishman must feel ashamed until the perpetrators had been brought to justice. If they were not brought to justice, he could not conceive how any Irishman could resist any Bill, in any shape, intended to bring them to justice. At the same time, he hoped that measures would be taken to improve the Irish police administration, and that the present Chief Secretary would devote some of his energies and abilities to the detection of the anti-Irish-American crime which seemed to pervade certain classes in the City of Dublin; and that his efforts would not be directed, as those of his Predecessor were, to putting down meetings of ladies and children; but to putting down the perpetrators and organizers of crime.

MR. WARTON observed that the Home Secretary had said that the Government had not changed their policy in consequence of the tragedy of last Saturday, and yet on Tuesday week the Premier had stated that he meant to deal with arrears and the Purchase Clauses; but had said that the most necessary Business was that of the Procedure Rules.

Question put.

The House *divided*:—Ayes 327; Noes 22: Majority 305.—(Div. List, No. 77.)

Bill to be brought in by Secretary Sir WILLIAM HARCOURT, Mr. GLADSTONE, MR. ATTORNEY GENERAL, Mr. SOLICITOR GENERAL, Mr. ATTORNEY GENERAL for IRELAND, and Mr. SOLICITOR GENERAL for IRELAND.

Bill *presented*, and read the first time. [Bill 157.]

QUESTIONS.

PARLIAMENT—ORDER OF BUSINESS.

SIR STAFFORD NORTHCOTE asked what Business would be taken on Monday?

SIR WILLIAM HARCOURT said, he could not state absolutely, but only subject to the view of the Prime Minister. He believed it was proposed to take the Parliamentary Elections (Corrupt and Illegal Practices) Bill on Monday, or, perhaps, Supply. If Supply were taken, it would be the Army Estimates.

SIR H. DRUMMOND WOLFF asked when the Procedure Resolutions would again be taken? [“Oh!”] It was all very well to say “Oh!” but, as a matter of convenience, it was most desirable they should know when it was proposed to renew the consideration of these Resolutions. In point of fact, it had been made a Vote of Confidence. If the 1st Resolution were not passed, the Government had given an intimation that they intended to resign. [“Oh!”] He wished to know if the Government still adhered to the Procedure Resolutions?

MR. SPEAKER wished to remind the hon. Member that the House was now going through the Orders of the Day. The hon. Member had already asked a Question, and had received an answer.

Mr. R. N. FOWLER asked when the Customs and Inland Revenue Bill would be taken?

Mr. CHILDERS requested the hon. Gentleman to put the Question to-morrow.

Mr. REDMOND inquired what the Business would be on Friday?

Mr. CHILDERS replied, that the Army Estimates would be proceeded with in Committee of Supply.

ORDER OF THE DAY.

JUDGMENTS (INFERIOR COURTS) BILL.

(*Mr. Monk, Mr. Norwood, Mr. Anderson, Mr. Corry, Mr. Reid, Mr. Serjeant Simon.*)

[BILL 44.] CONSIDERATION.

Order for Consideration, as amended, read.

Mr. MONK moved that the Bill, as amended, be further considered.

Mr. BUCHANAN objected.

Mr. HEALY wished to call the attention of the Speaker to the fact that Notice of opposition to the Bill already appeared on the Paper.

Mr. MONK said, it was simply progress. The Bill had already been considered on Report.

Mr. BUCHANAN observed that his name appeared upon the Paper as blocking the Bill; and he wanted to know whether the Half-past 12 o'clock Rule was operative or not?

Mr. SPEAKER: I consider that if an Amendment had been moved on the original Motion put from the Chair, "That the Bill be now considered," that would be a block; but the House is now engaged with the consideration of a Bill on Report; and, therefore, I am of opinion that the Rule in regard to Opposed Business does not apply.

Mr. BUCHANAN said, that under the circumstances, he would move the adjournment of the debate.

Mr. SPEAKER: There is no debate at present. I call upon the Attorney General for Ireland to move the clause which stands in his name.

Mr. MONK said, he would move the clause of which the right hon. and learned Attorney General for Ireland had given Notice, which provided that the existing limits of local jurisdiction should not be exceeded.

Mr. HEALY desired to ask, as a point of Order, whether it was competent for one hon. Member to move an Amendment which stood in the name of another, yet that was the course which the hon. Member for Gloucester (Mr. Monk) proposed to take. This was an important matter which affected the interests of Ireland, and he should certainly move the adjournment of the debate if no other hon. Member did so.

Mr. SPEAKER: The hon. Member for Gloucester is not entitled to move a clause on behalf of another hon. Member.

Mr. MONK said, he was sorry that he was out of Order in moving the Amendment. He might state, however, that he proposed to move it with the consent of the Attorney General for Ireland. If he was out of Order, he must submit to have the debate adjourned, and he would put down the Bill for Monday.

Mr. SPEAKER: I am bound to say that I have never known an instance where a clause brought up on the consideration of a Bill on Report by one hon. Member has been moved by another hon. Member. Such a course is decidedly out of Order.

Mr. MONK wished to remind the right hon. Gentleman in the Chair that this clause itself was only part of the progress on the Bill, as it had already been moved by the right hon. and learned Attorney General for Ireland. Owing to extraordinary circumstances, the right hon. and learned Gentleman was not present; and he (Mr. Monk) would submit to the adjournment of the debate until Monday.

Mr. SPEAKER: If the right hon. and learned Gentleman had moved the clause himself, that would have been another matter; but, as I am informed, the right hon. and learned Gentleman, as a matter of fact, never did move the clause.

Further Consideration, as amended, *deferred* till *Monday* next.

SEA FISHERIES (IRELAND) BILL.

On Motion of Mr. Blake, Bill to promote the Irish Sea Fisheries, *ordered* to be brought in by Mr. Blake, Mr. Leamy, Mr. Sexton, Mr. O'Donnell, Mr. Barry, Mr. Healy, and Mr. Corbett.

Bill *presented,* and read the first time. [Bill 158.]

House adjourned at Two o'clock.

HOUSE OF LORDS,

Friday, 12*th May*, 1882.

MINUTES.]—PUBLIC BILLS—*First Reading*—Consolidated Fund (No. 3) *.
Second Reading—Commonable Rights * (73).

EGYPT (POLITICAL AFFAIRS).

NOTICE OF QUESTION.

LORD LAMINGTON gave Notice that on Monday he would ask the Secretary of State for Foreign Affairs, Whether his attention had been called to the language of M. de Freycinet in the French Chamber on May 11—

> "Two things have pre-occupied us. The first, to preserve to France the justly privileged situation she has in Egypt; the preponderating influence arising from her work in Egypt of every kind for a century back, and from the presence of a French colony, which worthily upholds in that country the flag of our nation. Yes, the presence of that colony, an outpost of France, imposes on us duties from which we are determined not to swerve."

and, whether Her Majesty's Government are prepared to recognize the preponderating influence of France in Egypt?

EARL DE LA WARR, in pursuance of private Notice, desired to ask the Foreign Secretary, Whether it was convenient to him to give any information relative to the state of affairs in Egypt?

EARL GRANVILLE: My Lords, the noble Earl has given me Notice of this Question; I have also received a Notice from the noble Marquess opposite (the Marquess of Salisbury) to the same effect; and I am still more anxious to give the House what information I can on this subject. But it would be highly disadvantageous to the Public Service that I should do so at present. If the noble Earl will permit me to postpone answering his Question, I will, at the next Sitting of the House, give as full a statement of the circumstances as is consistant with the interests of the Public Service.

UNIVERSITIES OF OXFORD AND CAMBRIDGE ACT, 1877 (LINCOLN COLLEGE STATUTES).

MOTION FOR AN ADRRESS.

THE BISHOP OF LINCOLN: My Lords, I rise to move the following Resolution:—

> "That an humble Address be presented to Her Majesty praying Her Majesty to withhold Her assent from the Statutes, now on the Table of this House, for Lincoln College, Oxford."

I venture to submit this Resolution to your Lordships in my capacity as Visitor of Lincoln College, and as the Representative of two of my Predecessors in the See of Lincoln, by whom the College was founded and endowed. I am aware, my Lords, that in moving this Resolution I must expect to be encountered by two objections. First, it will be alleged that I am contravening the wishes of the College itself, as expressed in the Petition from the Rector and Fellows, which has been presented by the noble Earl. My Lords, I have a great respect for Lincoln College, and for the opinions of its members; but I submit that this Petition is hardly to be regarded as an authentic and adequate representation of those opinions. It purports to come from the Rector and Fellows. But what, my Lords, are the facts of the case? It was adopted at a meeting consisting of eight persons. The Rector, who presided at the meeting, declined to vote. The total number of the Fellows in favour of it was four; two of these are non-resident; the third was a Commissioner; and three Fellows, who are resident, voted against it. I need hardly say more in reply to the first objection. The second seems to be more formidable. It will be urged that my Resolution involves an animadversion on the proceedings of a distinguished body of persons, nominated by the Legislature in 1877—namely, the Commissioners for the University of Oxford. And this objection becomes more serious when it is remembered that the President of the Oxford Commission was the noble and learned Lord on the Woolsack, and that next after him was the noble Earl (the Earl of Redesdale), the Chairman of the Committees of your Lordships' House. I may, therefore, expect to be charged with presumption for challenging their acts. But, my Lords, I hope to be relieved from this imputation when I remind you of certain facts. The noble and learned Lord on the Woolsack had resigned his seat in the Commission—much to the regret of many persons at Oxford—before the Lincoln College Statutes came under consideration. Next, your Lordships will remember that the Oxford Commission, properly so called, was not an independent body, but was swayed by influences from without. In preparing Statutes for any College, the Commissioners were required by the Act of 1877 to admit into their counsels three persons, as Associates, elected by the College, who became Commissioners *pro illâ vice*, and who had equal votes with the Commissioners. In certain cases this provision was, I venture to think, unfortunate. In cases where the votes of the Commission itself were nearly balanced, it enabled this Collegiate triumvirate to sway the Commission, and practically to become the Commission; consequently, three persons, elected it might be, as in Lincoln College, from a Governing Body of only about 12 in number, might stereotype their own peculiar sentiments on the Statutes of the College, and might determine its destinies for future generations. Now, my Lords, that this is not an imaginary hypothesis in the case of Lincoln College may, I think, be shown from the animus which appeared in the original draft of the Statutes of the College forwarded to me, as Visitor, by the Secretary of the Commission. The first thing which I observed in that draft was that it was proposed to deprive me of the office of Visitor—an office which had been held by Bishops of Lincoln for 400 years—and to transfer that office to the noble and learned Lord on the Woolsack. I wrote a letter of inquiry to that noble and learned Lord, and he assured me, in reply, that he was not cognizant of the proposal. I then inquired of the Commission what the reasons were for the proposed transfer. The answer which I received was that the functions of a Visitor are judicial, and that they would be more fitly vested in the Lord Chancellor than in a Bishop. To this I rejoined that those functions were not merely or mainly judicial; that the Bishop of Lincoln was Ordinary of Lincoln College; that the College Chapel was built by a Bishop of Lincoln, and was consecrated by a Commission from him; and that so recently as in 1871 it had been enacted by the Legislature that the superintendence of the religious services of the chapel should be vested in the Bishop as Visitor, and that, therefore, it would be an irregular proceeding to transfer such ecclesiastical jurisdiction, exercised for 400 years, from the Bishop of Lincoln to a judicial functionary, however eminent. The Commission at length yielded to my remonstrance, and restored me to the office of Visitor. The next proposal which I remarked in the new Code of Statutes was that I was to be deprived of the patronage of a Fellowship in Lincoln College. That patronage has been administered by my Predecessors for three centuries and a-half. Lincoln College owes its existence and endowments to the Diocese of Lincoln. It was founded and endowed for a Rector and 15 Fellows by the bounty of two Bishops of Lincoln and of an Archdeacon of that diocese. The College itself freely and gratefully acknowledged those benefactions by engaging in a solemn compact that one of the Fellowships should be for ever in the patronage of the Bishop of Lincoln, and this compact was confirmed by the Parliamentary Commissioners so recently as in 1854. But now it is proposed in this new Code that, without any proof, or even any allegation of abuse in the administration of this patronage, the Bishops of Lincoln should at once cease to be patrons of this Fellowship as soon as these new Statutes became law. My Lords, let me be allowed to ask—What property is safe if such acts of spoliation as this are proposed by persons in high place, and are authorized by the Legislature? Will they not be a precedent to be soon followed by similar acts of confiscation? Most of your Lordships are patrons of ecclesiastical benefices; Church patronage has been abolished in Scotland. There is at present an energetic movement, as shown by recent debates in "another place," against lay patronage, on the plea that ecclesiastical advowsons and first presentations are often sold by auction for money. If such patronage as has never been abused is abolished, what will become of patronage for which, in some cases, such a defence cannot be made? But, it is argued, all College offices ought to be elective, and in the hands of the Fellows, and, therefore, a Bishop ought to be deprived of his nomination to a Fellowship, secured by a prescription of more than three centuries, and by a recent legislative provision. My Lords, the Mastership of one of the noblest Colleges in the Kingdom—that of Trinity College, Cambridge—is not elective, but it is in the nomination of the Crown. Is the appointment to a single Fellowship out of many to be taken away from a Bishop, and yet the nomination to the Mastership of the greatest College in Cambridge to be reserved to the Crown?—

> "Ignoscit corvis, vexat censura columbas."

But I pass on to a still more important point—the provision made in the new Statutes of Lincoln College for religious worship and instruction. Here, I venture to think, that the Commissioners—including, of course, the three chosen by the majority of the 10 Fellows of the College—have not complied with the instructions they received from the Legislature in 1877 which appointed them. In those instructions they were required, in framing new Statutes, to have primary regard to the "main design of the Founder." The "main design" of the Founder of Lincoln College is clear from the words of the Preamble of the Statutes—"To the glory of God, the increase of the Clergy, and the welfare of the Universal Church." In fact, Lincoln College was intended to be a seminary for Ministers of the Church. The Rector and all the Fellows were to be in Holy Orders; and this provision was continued with some relaxations in the Statutes of 1854, by which the Rector was to be in Holy Orders at his election, and all the Fellows, except two, were to enter Holy Orders within 10 years after their election or resign their Fellowships. But what, my Lords, is to be the future constitution of the College under the proposed New Code? Neither the Rector, nor any one of the Fellows, need be in Holy Orders; nor need they be members of the Church of England, nor even to be professors of the Christian religion. Nor is this all. The Commissioners were required, by the Acts of 1871 and 1877, to make some provision in the College for religious worship morning and evening, and for religious instruction. And what provisions do they propose to make in the new Statutes? If neither the Rector, nor any one of the Fellows, are disposed to undertake the duty, then two Chaplains are to be appointed, with a salary of £50 a-year each, to conduct the daily religious services of the College; and these Chaplains are to be hired from year to year, and to be dismissed at the discretion of the Governing Body. These Chaplains are, in fact, to be placed in a humiliating and ignominious position, much inferior to that of any curate in deacon's orders in the Church of England, who generally receives a stipend of £120 a-year, and is under the protection of his Bishop, and cannot be dismissed without his consent. Lincoln College, which was designed by its Founders to be pre-eminently a religious College, has been treated by the Commissioners far less favourably than other Colleges—Brasenose, for instance, and many others—in this respect. My Lords, I have ventured to invite your Lordships' attention to this subject, because it seems to me to be one of vital national importance. The future destinies of the English nation depend much on the education given to the sons of the nobility and gentry of the land in our two ancient Universities. If the religious worship and instruction provided in our Colleges should sink into disesteem and contempt, and should cease to exercise a salutary influence over the hearts and minds of those young men who are trained within their walls, I tremble for the future of England. But, my Lords, I must not trespass longer on your time by entering on so vast a subject. I will, therefore, conclude by endeavouring to answer a question which may reasonably be asked, and which is this—What will be the condition of Lincoln College, if your Lordships should think fit in your wisdom to assent to the Resolution which I have now the honour to submit to you? The reply is—The College will not be thrown back on any obsolete Code, but on Statutes which are not 30 years old, and which were revised and approved in 1854 by the Commissioners then appointed by your Lordships and by the other House of Parliament for that purpose; and when I remind your Lordships who those Commissioners were in 1854, you will feel a reasonable assurance that the Code of 1854 was wisely framed. Among those Commissioners were the late Archbishop of Canterbury, Archbishop Longley—then Bishop of Ripon—the Earl of Harrowby, Sir John Coleridge, Sir John Awdry, and Sir George Cornewall Lewis; and it was provided by them that those Statutes might be amended from time to time by the College, with certain consents, which, I think, have been enlarged by Section 56 of the recent Act of 1877. It is quite clear, therefore, that while anything that is objectionable in the proposed Code of 1882 may thus be removed from it after mature deliberation, it will be quite competent for the College, with the co-operation of the proper authorities, to adopt such recommendations in that Code as may be shown to be improvements on the Code framed by the Parliamentary Commissioners in 1854. I heartily thank you for the patient indulgence with which you have now favoured me, and I beg leave to move the Resolution which I have submitted to your Lordships.

Moved, "That an humble Address be presented to Her Majesty praying Her Majesty to withhold Her assent from the Statutes, now on the Table of this House, for Lincoln College, Oxford."—(*The Lord Bishop of Lincoln.*)

THE EARL OF CAMPERDOWN, who had a Notice on the Paper to call attention to a Petition from the Rector and Fellows of Lincoln College, Oxford, praying that the Statute made for Lincoln College by the Oxford University Commissioners may be allowed to proceed, said that, although that Statute was drawn up by the University Commissioners, it would more properly be described as the Statute of Lincoln College itself. That College had taken the only means available to it at this juncture by presenting a Petition which brought the facts of the case under the notice of their Lordships. The right rev. Prelate had made light of that Petition, alleging that it was only signed by four persons. He fully agreed with him that the meeting at which the Petition was signed was not numerously attended; but there was an excellent reason for that. The College had received no notice whatever from the right rev. Prelate of his intention to move the rejection of the whole of the Statute. The right rev. Prelate had referred to the fact that the Rector did not vote on that occasion. He was desired to say by the Rector that, although that was the case, he was opposed to the Statute being overthrown. One point referred to by the right rev. Prelate was that by the Statute the Bishop was to be deprived of the privilege of nominating a Fellow without being heard. But that was not so. That question was dealt with by the Universities' Committee, to which Committee the right rev. Prelate petitioned, with the result that the Petition was dismissed. The main ground of objection to the Statute was that by it insufficient provision was made for religious instruction. But why had not the right rev. Prelate availed himself of the power of appeal which he possessed to the Court specially appointed by Parliament for that purpose? The right rev. Prelate understood the situation perfectly well. He had appealed in the analogous case when the privilege of appointing a Fellow was taken away from him, and why did he not do so in this case also? When Parliament was passing the Universities' Bill of 1877, it intended distinctly that their Lordships' House should not be a Judicial Body with regard to this Statute. Accordingly, it created a Universities' Committee judicially to consider individual points in the Statute; and it was for their Lordships either to reject the Statute as a whole, or to pass it as a whole. In the first instance, Parliament clearly intended that such appeals as related to one portion of the Statute should be brought before the Universities' Committee, who possessed advantages for hearing them which Parliament did not command. The right rev. Prelate, having neglected to avail himself of his power under the Act, now came before their Lordships and asked them to throw out the whole of this Statute, mainly because he objected to one portion of it. This point, although not brought before the University Committee, had been specially considered by the University Commission, who had decided that, under the existing Statutes of the College, they had no power to enforce clerical restrictions with regard to any Fellowship in the College. The effect upon Lincoln College of throwing out this Statute would be not to permit the College to reconsider their Statutes, and to bring them before the University Committee, because that Committee was as dead as the University Commission, but to throw the College back upon the Statutes of 1854, by which the privilege of the Bishop to appoint a Fellow would be revived in the face of the declarations of both the University Committee and the University Commission that such a privilege ought no longer to exist. Moreover, throwing out this Statute would enable the two Fellows at Lincoln College who had been appointed recently to hold their Fellowships *in perpetuum*, instead of for seven years. The University itself would suffer from the throwing out of this Statute, inasmuch as the emoluments of the recently-appointed Lincoln Professor of Classical Archæology and Art would be cut off. He trusted that their Lordships would accede to the prayer of the College authorities and would allow the Statute to proceed.

THE ARCHBISHOP OF CANTERBURY said, he would venture to ask the noble Earl behind him what was the exact duty, in reference to Statutes of this character, which he deemed the House had to discharge? If the House had no right to consider them, why had the Legislature directed that such Statutes should be printed and circulated among their Lordships before they became law? The noble Earl had pointed out that, in the event of this Statute being thrown out, the Lincoln Professor of Classical Archæology and Art would lose his appointment; but, for his own part, he could not help feeling that some of these Professorships were possibly more ornamental than useful, and that the study of the University need not necessarily suffer very greatly even though this Profesorship should be suspended. He granted that if they were compelled, by the success of this Motion, to fall back upon the Statutes of 1854, the Rector and Fellows of Lincoln College would not be entirely masters of the situation, free to make such Statutes as they pleased; but there would be still a way open for making just as good Statutes as those which had now been suggested. It was true that in some great Colleges, such as All Souls' and New College, no such expressed clerical restrictions had been imposed with regard to Fellowships. It might be taken for granted that where there was such a large number of Fellowships some among the Fellows would always be in Holy Orders. It was a very different matter, however, in the smaller Colleges, with regard to which it was absolutely necessary to make some provision for the performance of Divine Service. Having regard to the construction of the existing Statutes of Lincoln, it was as open to anyone to contend that all the Fellows should be in Holy Orders as to contend that none should be. All of them were required to be in Holy Orders after a limited number of years. It was also provided that the Service of the Church of England should be read in the chapel by one of the Fellows. The intention clearly was that the Fellow should be in Holy Orders. Again, two Chaplaincies, as they were called, which were really parochial cures, were to be held by Fellows, and in the event of one of the holders ceasing to be Chaplain he was to resign his Fellowship. Could anything be more obvious than that it was intended that an indissoluble bond should exist between the Chaplaincy and the Fellowship held in conjunction with it? On the whole, it appeared to him to be the common sense view of the Statute of 1854 that Clerical Fellowships should exist in Lincoln. He should be sorry to do anything which might injure the College; but it seemed to him that no great harm would result if it fell back for some little time upon the system inaugurated in 1854, instead of being hastily reformed upon an untried modern system. Whatever disadvantage might now be experienced, it might, he believed, be amended by powers already existing.

THE LORD CHANCELLOR said, he recognized fully the desirability of securing religious instruction in Colleges; and he agreed that, when it could be done, that instruction ought to be given by members of the Governing Body. But he wished to point out that the Commissioners were hampered in regard to the appointment of Clerical Fellows by certain legal impediments placed in their way by the Act of Parliament from which their powers were derived. It was a mistake to suppose that what had been done in the case of Lincoln College was capricious and exceptional. The very clause which called their attention to the duty of providing for religious instruction and for Chapel Services contained a negative and prohibitory provision, to this effect—that in any Statute made by them they might not make the entering into Holy Orders, or the taking of any test, a condition of the holding of any office or emolument existing at the time of the passing of the Act, to which such a condition was not at the time of the passing of the Act attached. Hence there was necessarily a difference of treatment required in the case of different Colleges. What was done in Lincoln College had been done, and for the same reason, in larger Colleges, such as New College and Merton, and in a smaller College, Wadham. There were, in 1877, no Fellowships in any of these Colleges subject to any Clerical test or qualification, present or prospective, at the time of election; and, therefore, the Commissioners could impose none for any purpose. At Lincoln, as in those other

Colleges, they had done all they could. He would read the very words of the Lincoln Statutes—

> "The Rector and Fellows shall yearly nominate, out of their own body, two persons, being in Holy Orders of the Church of England, one of whom, at least, shall be in Priest's Orders, to act as Chaplains."

And a little later—

> "The Rector and Fellows shall provide religious instruction for all members of the College *in statu pupillari*, being members of the Church of England, and shall charge one or more of the Tutors or resident Fellows with the duty of giving such instruction. The Rector may likewise, with his own consent, be charged with this duty."

The provision, which is at the same time made for the discharge of these duties by persons not members of the Governing Body, is only to meet the case of there being no persons among the Rector and Fellows duly qualified and willing to serve as Chaplains, or no Tutor or resident Fellow who, being a priest or deacon of the Church of England, can be charged with and undertake the duty of religious instruction, the Rector being either not in Holy Orders or not willing to undertake it. The salaries provided in that case were not, as had been suggested, illiberal — £100 being the minimum, not the maximum. Under the previous constitution of the College all the Fellowships were tenable for at least 10 years, without any obligation to take Holy Orders; and two of them—not necessarily the two senior Fellowships, but according to an option, the exercise of which would, of course, be regulated by seniority—might permanently be held by laymen. The Commissioners, therefore, had no power to make a Statute requiring any Fellow of this College to be in Holy Orders before the end of 10 years from the time of his election. Under the new Statutes, there would be only a maximum number of four Fellows—all tutorial—and the Professor of Classical Archæology, who could retain their Fellowships for so long a period as 10 years; and to require two of these to take Holy Orders at the end of 10 years, or then vacate their Fellowships, might deprive the College of the services of, perhaps, its best Tutors, without securing the object in view more effectually than under the new Statutes as they had actually been framed. He thought the right rev. Prelate had implied some unmerited want of confidence in the College Commissioners concerned in the preparation of the Statutes in question. One of those gentlemen had now been elected to the Presidency of Corpus Christi College, a College of which he was not previously a member, and during his residence at Lincoln he and another distinguished member of that College, Mr. Merry, had discharged the duties of Chaplain and Divinity Tutor; and there was no reason to suppose that men equally well qualified might not be found under the new Statutes. He had heard with some regret the observations of the right rev. Prelate, who seemed to think that there was some special evil purpose in the framing of the Statutes of Lincoln College, because they proposed to change the Visitor. He was glad that that change was not to take place, and that important duties, which, in his opinion, might be better discharged by the right rev. Prelate the Bishop than by the Lord Chancellor, were to remain in his hands. He had, therefore, heard with some degree of surprise the remarks of the right rev. Prelate on that subject; and he thought, considering the circumstances, they were hardly necessary. He had also heard with surprise the objection made by the right rev. Prelate, on the ground that the right to nominate one Fellow, which had hitherto been exercised by the Bishops of Lincoln, was now to cease, and was to be transferred to the College. The right rev. Prelate considered this to be an act of spoliation, and a violent departure from the main purposes of the founders and benefactors, who were Bishops and an Archdeacon of Lincoln. But in those days the See of Lincoln embraced a vast tract of country now separated from it, and now transferred to other dioceses, of which Oxford was one. The Fellowship in question was not an open Fellowship, but was to be filled by a native of Oxfordshire; and all such local restrictions had now been done away. To reserve to the Bishops of Lincoln, under these circumstances, a nomination either to an open prize Fellowship tenable for seven years, which —according to the principle universally adopted elsewhere—ought to be the reward of distinguished academical merit, ascertained by free competition, or to one of the Tutorial Fellowships in the College, which it was most important to have filled by men specially qualified, in whom the College might place confidence, would have been to interfere inconveniently and unreasonably with the new, without preserving the old, constitution of the College. The right rev. Prelate had appealed, on this point, to the Universities' Committee of the Privy Council, and that authority had decided against him. No doubt, it was competent for this House to interfere; but to interfere for the purpose of reversing a decision of a judicial, or *quasi*-judicial, tribunal, in favour of one, however eminent, who had taken his chance of success there and failed, would not appear to him to be worthy of their Lordships' wisdom. The consequence of objecting to the Statutes before the House, which, as they stood, were not substantially different from those of any other College in the University, would be most prejudicial. They belonged to the same general scheme and plan as those of the other Colleges; and in some respects the Commissioners thought it of the highest importance to maintain an uniformity of plan. They had advocated the creation, in every College, of a limited number of Fellowships to be filled by gentlemen who would perform official duties in their Colleges, and of other Fellowships to be held as prizes, not upon the wasteful system of life annuities, but for seven years; and they desired, as far as possible, to make them of uniform value, in order to prevent money competition between the various Colleges. Scholarships, too, were placed upon a uniform system; and if assent were withheld from these Statutes Lincoln College would be placed in an entirely different position from other Colleges. The contributions to be made by Lincoln College to the revenues of the University would be lost, as well as the Professorship of Classical Archæology, to which—whatever the most rev. Prelate might think about it — great value was, to his knowledge, attached in the University by those who well understood its present wants. He was far from saying that there were not in these and the other College Statutes some changes, the value of which could only be tested by experience; but that would not be a reason with their Lordships for rejecting them; and he put it to their Lordships whether they were prepared to say that a particular College, whose Statutes, in no substantial respect differing from the rest, had been rejected by Parliament, should have the power to make alterations, however dissimilar from the rest, with the consent of the Visitor; whether they wished to render necessary further legislation concerning that particular College; and whether they considered it desirable that there should be constant legislation affecting the Colleges and the University?

THE MARQUESS OF SALISBURY said, he must protest against a use which had been made of the existence of the Universities' Committee—a use which might mislead the House, because, from the nature of it, it was incapable of a direct reply. In the case of the decisions of other tribunals it might be possible to show the causes and the grounds of them, and to point out how far they were influenced by legal and by political considerations; but the peculiarity of tribunals issuing from the Privy Council was that they were forbidden by an old rule from stating the grounds on which their decisions were given, or giving the votes of the persons who constituted the tribunal. He was, therefore, incapable of answering directly what had been advanced; but that very fact showed that there ought not to be imported into the discussion the consideration of facts which could not be stated. He was sure that the legal Lords would not support the view which had been advanced of the relation of the Universities' Committee to that House, and that the House was precluded from exercising an authority which it derived from the same Act of Parliament. As to the view that the House ought not to go against the decision of the Commissioners which Parliament called into existence, the Commission of the House derived their powers from the same source; the Parliament which created the Commission of 1877 created the appellate judgment of the House of Lords, to which appeal was now being made; and the one was, as potent as the other. The main question was, what was the effect of these Statutes on Lincoln College, and what would be the effect if it were rejected? The noble and learned Lord on the Woolsack had told their Lordships that their operation was not substantially different in the case of Lincoln College from other Colleges; but everything depended upon the definition of the adverb, and whether the management of religious instruction was a matter of substance. If it were, the difference between the Statutes was that one set dealt satisfactorily with the subject, and another set unsatisfactorily. Originally the majority of Fellows in the University were in Holy Orders, and, with comparatively little modification, that state of things continued down to 1854. The Commission of 1877, although there was nothing in the Act of Parliament to indicate that so large a revolution was contemplated, went the enormous length of sweeping away all the Clerical Fellowships in all the Colleges, making only the reservation, which they applied to the majority of Colleges, that the Principal and Fellows might, if they thought fit, elect to a Fellowship a person in Holy Orders who appeared eminently qualified to give religious instruction; and if at any time there appeared to be no Fellow in Holy Orders, there should, on the occurrence of a vacancy, be an election under the former clause. In effect, they were imperatively charged with the duty of supervising religious education. It was true the clause was not inserted in all the Statutes, and that no College was treated precisely as Lincoln was; in all the others religious education was more favoured. The question was not whether the Commission ought to have inserted in the Lincoln Statutes that precise provision, to which technical objection might exist, but whether they ought to have so entirely revolutionized the character of the College that, whereas all the Fellows except two were at one time bound to take Holy Orders, now not one was bound to take Holy Orders. It was quite clear it was not necessary for them to exterminate the clerical element of the College in the way they had done. They might have left things as they were; they might have modified them; they might have adopted many alternatives. What the House was asked to say was that they did not approve of the exception to the general rule made in the case of Lincoln College, and that there should be among the Governing Body men whose duty it should be to supervise religious education. There was no similarity between this and the derisory appointment of a Chaplain at £50 a-year. What they were asked to say was that they did not approve of religious instruction being pushed aside in that contemptuous manner, and that they did approve of the minimum of general provision for religious education inserted in the Statutes of the Colleges generally, and that they wished to place Lincoln College on an equality with the rest of the University on the vital question of religious instruction.

Lord COLERIDGE said, he desired to point out the position in which the matter would be left if the view of the noble Marquess were adopted. It had been suggested in the concluding words of the noble Marquess's address that Lincoln College was to be left until it could discover some means of placing itself in regard to religious education on the same level, or in the same position, as the other Colleges in the University. The noble Marquess, however, had not suggested any means by which Lincoln College could place itself in that position.

The Marquess of SALISBURY: It can stay as it is now.

Lord COLERIDGE: No doubt; but the answer to this suggestion had been already given by his noble and learned Friend on the Woolsack. If there were no necessity for change, why did the noble Marquess create his Commission in 1877 for the purpose of effecting changes? The right rev. Prelate, or those who acted with him, could, no doubt, have informed the House on what ground the right rev. Prelate objected before the Universities Committee, and whether the point of religious education, which had been so prominently pressed on the present occasion, was brought before the Committee at all. If it had been, the Universities Committee would have had the power, notwithstanding the fact that the University Commission was extinct, to disallow the Statute in that regard, while it might have passed the rest of the Statute. If that objection were not raised before the Universities' Committee, it seemed hard on the College and on the University to raise it before their Lordships, who did not possess a judicial power, although they could, if they pleased, disallow the whole of the Statute. It would be most unfortunate if Lincoln College should be left to stand alone in the whole of the University. Considering that there were clergymen living in Oxford who probably had other benefices and means of support, he did not think the minimum sum named in the Statute for the chaplain's stipend was unreasonably low. It certainly was intended as an ignominious sum. Many College chaplains, in his time, discharged these duties for less than £100 a-year. He felt it would be a great pity to reject the Statute on these grounds.

VISCOUNT CRANBROOK said, it had been admitted that the Fellows were under the old Statutes to be in Holy Orders, and that the new Statutes made an entire alteration in that respect, and were not at all consistent with the intentions of the founders of the College. The only way to do what the Commissioners would have done, but for a technical difficulty, was for their Lordships to agree to the Address in order that the College might do for itself what was right and necessary under the powers of its former Statutes.

THE BISHOP OF CARLISLE said, he much regretted that he could not support the Motion of his right rev. Brother. He fully assented to what the noble Marquess opposite had said as to the importance of intrusting the religious instruction of the College to a member of the College. He felt strongly that the influence of a member of the Governing Body who mixed with the undergraduates would be much greater than that of a person from without. In Cambridge, wherever the chapel was served by clergy outside the College, the result was found to be very unsatisfactory, and he should be glad if the possibility of such an arrangement could be avoided in Lincoln College. But the Lord Chancellor had shown that there were special legal difficulties in respect of Lincoln College, and that the Commissioners had done their best in the matter. In some of the smaller Colleges of his own University, where there was no Clerical Fellow, the proposal of the new Statutes was to appoint a Dean from outside, and on the occurrence of a vacancy among the Fellows, to appoint the Dean to the vacancy, and he thought it would have been well if that practice could have been more generally followed. There were great and obvious disadvantages in entirely upsetting the Statute; and as there was apparently a legal impossibility of effecting the purpose of the Motion without doing so, he should vote against the Motion.

THE BISHOP OF LONDON said, he was of opinion that this Statute was an anomaly, and the only course open to their Lordships' House was to address Her Majesty, praying her to withhold her assent.

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Resolved in the *affirmative.*

The said Address to be presented to Her Majesty by the Lords with White Staves.

RUSSIA—THE AUSTRALIAN COLONIES.

QUESTION. OBSERVATIONS.

THE EARL OF BELMORE, in rising to ask the Secretary of State for the Colonies, If he has received any communication from the Marquess of Normanby respecting a statement which appeared in the Melbourne "Age" newspaper of 23rd March, concerning a statement made by a Mr. Bryant to the Colonial Government with regard to alleged designs of Russia upon the Australian Colonies; and, if so, whether he attaches any importance to that statement? said, he was rather inclined to believe Bryant was not this person's real name, but that he was a Frenchman who had been in prison, or, at any rate, in confinement in New Caledonia. He wished to make only a few remarks. The person referred to informed, as alleged, the Colonial Government that the Admiral who commanded the Russian ships which were at Melbourne and in the Australian waters had been instructed to inform himself of the positions of the capitals in Australia, so that in case of a war arising such knowledge would be useful; and he stated that he had been employed by the Admiral to make certain sketches. He anticipated that his noble Friend opposite (the Earl of Kimberley) would say that he had received a communication on the subject from Lord Normanby, and that his reply had been that he did not attach much importance to the question; but whether the noble Earl attached much importance to it or not, knowing the localities, he (the Earl of Belmore) was sure of this, that in the event of a war with a great Power the surprise of Australia by the enemy would not be at all improbable. Twelve years ago the Imperial troops were removed from the Australian Colonies. The Colonies themselves were altogether to blame for this, because Her Majesty's Government had offered to retain the troops if the Colonies would pay for them. They had not given an answer in a reasonable time, and the result had been that the soldiers were taken away. Perhaps, as to the number of troops, this did not matter; but what did matter was that the General who was in command of the troops was removed, and in the event of a war breaking out there was no one to take his place. The only forces in the Island were Volunteers, with a few men at Melbourne and Sydney that the War Office called Militia, and there were no officers of experience attached to them who could be at all classed with British Generals. Moreover, there being no bond of union in the Colonies, they would not be of much assistance to each other; but each Colony would be left to itself in certain events, and then the want of a general officer would be felt. He would now ask the Question of which he had given Notice.

THE EARL OF KIMBERLEY said, he should confine himself to answering the Question asked him by the noble Earl. On the 23rd of March Sir Bryan O'Loghlen, the Premier of Victoria, in the absence of Lord Normanby from the seat of Government, telegraphed to the Colonial Office the purport of the statement made by Mr. Bryant to the Colonial Government as reported in *The Age.* He informed him, in reply, that the relations of this country with Russia were of an altogether friendly character, and rendered such a report incredible. On the 24th of March Sir Bryan O'Loghlen telegraphed that a counter-statement had been made to the effect that Bryant was a disappointed torpedo inventor, whose invention had been declined by the Russian Government, and that the copies of Russian despatches were pure fiction. Lord Normanby had not made any communication on the subject.

STRAITS SETTLEMENTS.

ADDRESS FOR PAPERS.

LORD STANLEY OF ALDERLEY, in rising to call the attention of the House to the proceedings of the Legislative Council of Singapore on the 16th of February in opposition to the proposed disendowment of the Church of England in the Straits Settlements, and to move for

"Copies of the despatch of the Governor of the Straits Settlements in reply to the Secretary of State's despatch of 30th September 1881, and of the Secretary of State's reply thereto,"

said: My Lords, on the 16th of February last the Legislative Council of Singapore met to consider a despatch of the Secretary of State, recommending the disendowment of the Church of England in the Straits Settlements. The Council consisted of the Governor and six officials and six unofficial Members.

"The discussion was commenced by Mr. Shelford, who said that 'he wished to ascertain upon what grounds the Secretary of State, unsolicited, seeks to apply to this Colony a principle that obtains elsewhere.' He objected at some length to the proposed change, and said that the decision of the Secretary of State appeared to have been taken without a knowledge of, or at any rate regardless of, surrounding circumstances. Mr. Currie spoke next as a Dissenter, and objected to the proposed change, the immediate effect of which, he said, would be to curtail the revenues of the churches dependent upon voluntary contributions. Mr. Graham followed with regrets that the existing religious harmony would be interrupted by this introduction of Church and State strife. The Acting Colonial Engineer said that it was with feelings of much sorrow and regret that he had perused the Secretary of State's despatch. Mr. Sandilands, a Presbyterian, opposed the proposed change, which, he said, they had not wished for, and which he thought would be a very great blow and hardship. Mr. Bond then said that, though he was not now a member of the Church which it was proposed to disestablish, he should vote against the proposal, and he failed to see any good ground in the Secretary of State's despatch urged for disestablishment, either in Ceylon or in the Straits. The Chief Justice next spoke at length against the proposal, and looked with great mistrust at the misplaced economy of the Colonial Office in the matter of the small payment of 12,000 dollars to the Church. Mr. Bishop next opposed the proposed disendowment; from what was said by another speaker, he also appears not to belong to the Church of England. The Colonial Secretary said that, 'as a Member of the Executive Government, he had great doubts whether it was open to him to criticize, as he wished to do, the despatch upon the table; but he could not conceive that temperate remarks of a Member of the Government would be misplaced on a subject of this kind. He believed that in depriving the Church of England of State aid a great harm would be done to the Service to which he belonged.' Last of all, the Governor, who is a Roman Catholic, stated that he had not been consulted by the Secretary of State on the question of disendowment, and said that when he was Prime Minister of New Zealand, the organization of the Church of England was settled by a Bill to which he gave great attention, and which met with the special approbation of the Archbishop of Canterbury. In a case like this, he said, even if 'levelling up' be set aside, he would not disendow. He concluded by saying 'he had much pleasure in acceding to the Motion for Correspondence.'"

Thus it appears that the Secretary of State's proposal of disendowment was unanimously repudiated by the Legislative Council of Singapore, and that it was objected to by four Nonconformists and by the Roman Catholic Governor. It further appears, from the Singapore debate, that the Secretary of State did not consult, nor even sound, the Colony upon this matter, and that he gave the Colony no reason for his decision. I trust, therefore, that as the noble Earl's despatch to the Governor of the Straits Settlements does not contain the reasons which induced him to make his proposal, the noble Earl will now give your Lordships some information as to his reasons. It might have been supposed that the reception which his proposal of disendowment met with last year in your Lordship's House would have discouraged him from renewing such an attempt this year in another Colony. I am confident that disendowment was not pressed upon the Secretary of State by the Permanent Staff of the Colonial Office; and I am equally confident that the noble Earl is the last person to have recommended such a measure merely on account of a pedantic infatuation for symmetry, and the desire to model all the Colonies on a uniform pattern, notwithstanding that the noble Earl's despatch of September 30 does mention incidentally that the principle of disendowment has been adopted in other Colonies. From Paragraphs 5 and 6 of the despatch of the Secretary of State it might be inferred that he considered it an injustice that $12,000 should be allotted out of taxation to the Church of a minority of the total population; but, in the first place, arithmetical justice is not considered in this country in the matter of appropriating the proceeds of taxation. Highway rates are paid for roads used by those who do not contribute to their maintenance; heavy education rates are paid for teaching Latin and Algebra under pretence of teaching the "three R's." And this argument loses sight of the fact that the great bulk of the 300,000 of Asiatic population flocked to the Straits Settlements after that Colony was founded, and the appropriation to the Church made. Unless the State is to be made to appear as unbelieving and careless as to religion —a state of thing which is abhorrent to the Asiatic mind—some such appropriation must be made, and it is most natural and fitting that it should be made to the State Church. Several of the speakers in the Singapore Legislative Council had said that the proposed measure would be disapproved of and misinterpreted by the Natives. Last year I spoke of the opinions of the Mussulmans and Buddhists on this subject, with reference to Ceylon. I have lately read in a Hindu newspaper expressions favourable to the Missionaries in India, on the ground that they keep a check upon the Civil Service and Europeans, by keeping up the tone of public morality. If the Governor had not stated that he had not been consulted on this question, I could not have believed that the Secretary of State would have rushed into this unwelcome proposal without having previously ascertained the facts and the ground he stood upon. The only plausible explanation that remains is that the Secretary of State for the Colonies has wished to imitate the Prime Minister, and has trimmed his sails to the wind that blows from Northampton, and that he has mistaken that wind for a steady trade wind, whereas it is only an irregular and transitory gust, such as that which sank the *Eurydice*, and which will assuredly cause the Government ship to founder if they set their sails for it.

Moved, "That an humble Address be presented to Her Majesty for copies of the despatch of the Governor of the Straits Settlements in reply to the Secretary of State's despatch of 30th September 1881, and of the Secretary of State's reply thereto."—(*The Lord Stanley of Alderley.*)

The Earl of KIMBERLEY, in reply, said, that he was very glad of the opportunity which the noble Lord had afforded him of stating the course he had pursued, and which was a very plain and straightforward one, and one that he did not think would sink the ship, as the noble Lord seemed to fear. His noble Friend had been a little hard upon him in regard to this matter, and he thought he could not have read the despatch he sent out on the subject, acting upon the information which he had received. What he had stated was as follows:—

"It appears, as far as is shown by the information before me in the Blue Book for 1879, that out of a population of 308,097 there are only 1,730 Europeans, excluding Americans, and 5,772 Eurasians, the rest being Malays, Chinese, Hindoos, Klings, and people of other Eastern races, and that the number of persons generally attending Christian services were—Church of England, 749; Roman Catholics, 6,683; Armenians, from 30 to 50; and miscellaneous, from 190 to 320."

The total amount of the grant was about $12,700; and on general principles he thought that where the Church of England population bore so very small a proportion to the general population it was only natural to expect that they should provide necessary funds for maintaining public worship by voluntary contributions. In those parts of the Colonial Empire where that plan had been adopted the result had generally been to strengthen that Church and to infuse greater energy into it. In the case of Singapore, however, the Members of the Legislative Council of all denominations had concurred in expressing a desire that the annual grant for the endowment of the Church of England at that place should be continued, and he had much pleasure in stating that that desire would be carried into effect. The policy of disendowment and disestablishment of the Church of England in our Colonies had not been initiated by himself. His noble Friend opposite (the Earl of Carnarvon), who was the last person to take any course unfavourable to the Church of England, was, by force of circumstances, the first Secretary of State to take a step of that kind, and the case with which his noble Friend dealt had reference to the West India Colonies. The Papers asked for would be laid upon the Table of the House.

The Earl of CARNARVON said, he thought that the noble Earl who had just sat down had exercised a wise discretion in not adhering, for the sake of consistency, to the terms of his original despatch. He wished to explain that, so far from having voluntarily initiated the policy of disestablishing and disendowing the Church of England in our Colonies, the measure he had brought forward some 12 or 14 years ago on the subject had been forced upon him by the circumstances of the time. He should like to bear his testimony to the manly and straightforward manner in which this subject had been discussed by all Parties in the Legislative Council. There were two sets of circumstances in which it was most undesirable that a policy of disendowment and disestablishment should be carried into effect—the first was where there was a strong feeling in the Colony against the adoption of such a policy; and the second was where a small White population was surrounded by a large Native population, in which latter case carrying out such a policy might lead to much misunderstanding and misapprehension.

The Archbishop of CANTERBURY remarked, that, although it was satisfactory to know that the feeling of the inhabitants of the Straits Settlements had been consulted in this instance, it was desirable that these things should be done on some recognized principle and by some recognized authority.

The Earl of KIMBERLEY replied, that it was impossible to lay down a rule in such cases, as the various Colonies of the Crown differed in their constitutions. Matters of that kind had to be settled according to the circumstances of the Colony concerned.

Motion (by leave of the House) *withdrawn.*

House adjourned at a quarter past Seven o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 12th May, 1882.

MINUTES.]—Supply—*considered in Committee*—Army Estimates.

Public Bills—*Ordered—First Reading*—Local Government Provisional Orders (No. 4)* [159]; Local Government Provisional Orders (No. 5)* [160].

First Reading—Copyright (Musical Compositions)* [161].

Committee—Metropolis Management and Building Acts Amendment [107] [House counted out].

Report—Inclosure (Arkleside) Provisional Order* [128]; Inclosure (Bettws Disserth) Provisional Order* [127]; Inclosure (Cefn Drawen) Provisional Order* [126]; Local Government (Ireland) Provisional Order* [138]; Gas Provisional Orders* [136]; Water Provisional Orders* [135].

MOTIONS.

LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 4) BILL.

On Motion of Mr. Hibbert, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Rural Sanitary District of the Billericay Union, the City and County of Bristol, the Local Government District of Compton Gifford, the Rural Sanitary District of the Farnham Union, the Local Government Districts of Hendon and Madron, the Borough of Nottingham, the Local Government Districts of Rusholme and Torquay, the Borough of Walsall, the Improvement Act District of West Bromwich, and the Local Government District of Worthing, *ordered* to be brought in by Mr. Hibbert and Mr. Dodson.

Bill *presented,* and read the first time. [Bill 159.]

LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 5) BILL.

On Motion of Mr. Hibbert, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Borough of Bury (two), the Local Government District of Finchley, the Godalming Main Sewerage District, and the Local Government Districts of Marsden and Northwich, *ordered* to be brought in by Mr. Hibbert and Mr. Dodson.

Bill *presented,* and read the first time. [Bill 160.]

QUESTIONS.

IRELAND—MARKET TOLLS AT CASTLEWELLAN, CO. DOWN.

Mr. BIGGAR asked Mr. Attorney General for Ireland, If it is true, as reported in the public papers, that the farmers of County Down are obliged to pay toll to Earl Annesley on taking their produce into the town of Castlewellan; and, if so, under what Statute or Common Law this toll is exacted, and if the Government will relieve the farmers from this impost?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson), in reply, said, that Lord Annesley was by patent entitled to the tolls in question. This right was several centuries old, and, of course, the Government could not interfere.

LAW AND POLICE (IRELAND)—BONFIRES.

Mr. BIGGAR asked Mr. Attorney General for Ireland, If it is true that Hugh Cunningham, and thirteen other inhabitants, of Castlewellan, in the county of Down, were at Castlewellan Petty Sessions, on the 2nd day of May instant, fined for lighting bonfires in honour of the release of Mr. Parnell on parole; and, if bonfires were lighted on the same places to celebrate the return of Lord Castlereagh at the late election for County Down, and why it was that no prosecution at suit of the police was then instituted?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): Sir, it is a fact that several persons, who are, I understand, inhabitants of Castlewellan, were fined 2*s.* 6*d.* a piece under the Summary Jurisdiction Act for lighting bonfires on the public street. I am informed that no bonfires were lighted there on the occasion of the last election. The Constabulary, as was their duty in the case of ordinary offences of this description, undertook the prosecutions on their own responsibility.

EGYPT (POLITICAL AFFAIRS).

MR. LABOUCHERE asked the Under Secretary of State for Foreign Affairs, Whether any steps are being taken by Her Majesty's Government, in view of the critical state of affairs in Egypt, to maintain our influence in that Country; and, whether, if no negotiations are now going on with Foreign Governments in regard to an eventual intervention, either collectively by the Great Powers, or by us in conjunction with France, or by us alone, he will lay upon the Table of the House all Papers connected with previous negotiations on the subject?

SIR CHARLES W. DILKE: Sir, Her Majesty's Government have been and are in communication with France and with other Governments on the subject of this Question; but it would not be advisable at present to state the nature of these communications, or to lay any further Papers on the Table. Any further remarks I reserve for the reply which I shall give on Monday to the Question of the right hon. Baronet opposite (Sir Stafford Northcote), if he will be good enough to postpone his Question till that day, when I shall be prepared to make as full a statement on the subject as the Government think can be made under the circumstances.

SIR STAFFORD NORTHCOTE: As I understand from the answer of the hon. Gentleman that it would be inconvenient if I were to put my Question to-night, I will put it off till Monday.

SIR CHARLES W. DILKE: I would also ask the Member for Eye (Mr. Ashmead-Bartlett) whether, under these circumstances, he will not postpone the Motion on this subject of which he has given Notice on going into Committee of Supply?

MR. ASHMEAD-BARTLETT said, that, under the circumstances, he did not desire to proceed with his Motion to-night; but he must say that he hoped Her Majesty's Government would not persist in their attacks upon the rights of Turkey, which would only produce war.

Subsequently,

MR. ASHMEAD-BARTLETT said, he wished to ask a Question of the Under Secretary of State for Foreign Affairs, and he should like to say that he would be satisfied with a simple answer of "Yes" or "No." It was, Whether his attention had been called to the very serious speech delivered yesterday by the Prime Minister of France, in which he stated that the French Government had determined to maintain the particular and privileged position and preponderating influence which France enjoyed in Egypt?

SIR CHARLES W. DILKE: Of course, Sir, it would be most improper for me to make any statement in this House. As I have on many occasions said, in reply to similar Questions, I decline to make any remarks on speeches made by Ministers of foreign countries. But I may say that the words "preponderating influence" have been used in despatches laid before this House. It has always been admitted by all the European Powers that England and France together, or, as the phrase is, the Western Powers, have, or should have, preponderating influence in Egyptian affairs.

MR. ASHMEAD-BARTLETT: Is the hon. Member aware that the quotation to which I referred speaks of the preponderating influence of France only?

SIR CHARLES W. DILKE: The hon. Member must excuse me if I give him no further answer.

WEST COAST OF AFRICA (NATIVE WARS).

MR. SLAGG asked the Under Secretary of State for Foreign Affairs, What steps, if any, have been taken by Her Majesty's Government to protect British property and commerce during the war between the Chiefs of Bonny and New Calabar, in the absence of Her Majesty's Consul from the Bight of Benin?

SIR CHARLES W. DILKE: Sir, Mr. Hewett, Her Majesty's Consul, is on the point of returning to his post, and in the meantime a ship of war has been ordered to the spot.

THE NEW COURTS OF JUSTICE—THE TEMPLE SUBWAY.

MR. MELLOR asked the First Commissioner of Works, Whether the original plans for the new Law Courts did not show a communication between the Temple and the Courts by means of a subway; whether his attention has been called to the great difficulty of crossing Fleet Street, owing to the amount of traffic opposite to the Temple; and, whether he is disposed to afford facilities to enable such a communication to be made?

MR. SHAW LEFEVRE, in reply, said, the proposal referred to was not entertained by the Government of the day. He had no doubt it would be exceedingly convenient to the Temple that there should be a subway, and he would be prepared to entertain any proposal of the kind if made by responsible bodies, such as the Inns of Court. He could not hold out any hope that the Government would incur the expense of such a work.

RIVER FLOODS PREVENTION — THE OUSE AND THE DERWENT—LEGISLATION.

MR. LEEMAN asked the President of the Local Government Board, Whether the attention of Her Majesty's Government has been called to the immense loss which has lately been caused by the flooding of the Rivers Ouse and Derwent (Yorkshire); and, whether the Government are prepared to pass the Rivers Conservancy Bill into Law this Session?

MR. DODSON, in reply, said, that the attention of Her Majesty's Government had not been officially called to the damage done by the recent floods. But he was well aware of the liability of those rivers to floods, and the serious damage occasioned thereby. Her Majesty's Government were as desirous as ever to pass the Rivers Conservancy Bill this Session, and they hoped to do so.

IRELAND — ASSASSINATION OF MR. BURKE, THE LATE UNDER SECRETARY.

SIR MICHAEL HICKS-BEACH: I wish to ask the First Lord of the Treasury, Whether the Government have considered or will consider the desirability of making some provision from public sources for Miss Burke, sister of the late Under Secretary for Ireland? I make this suggestion without having had any communication with the family of Mr. Burke, and I make it upon public grounds, because I feel that this is one of those cases when it would be right and in accordance with the general sentiment that some such course should be taken.

MR. GLADSTONE: Sir, the subject of the Question of the right hon. Gentleman was brought to my notice to-day for the first time. I do not know, however, that it might not have been brought to my notice yesterday by my right hon. Friend the Member for Bradford, had I not been out of town. I had not before this afternoon, on arriving from Chatsworth, learned the particulars of the case, though I had reason to suppose that it might deserve inquiry; but the subject shall have my immediate attention?

PARLIAMENT — BUSINESS OF THE HOUSE.

SIR STAFFORD NORTHCOTE: Will the Government be able to tell us what Business will be taken on Monday?

MR. GLADSTONE: On Monday, Sir, we propose to go forward with the Corrupt Practices Bill and the Ballot Act (Continuance) Bill. I hope, also, to be able to introduce on Monday a Bill dealing with the question of arrears in Ireland. This would be done by my right hon. Friend the newly-appointed Chief Secretary for Ireland, should he be in his place; but I am not aware that he can be back in his place so soon, and in his absence it will be done by myself or some other Member of the Government. No one, I take it, will wish to obstruct the Bill in its initial stage, and, indeed, I hope, in none of its stages. At any rate, the field of the subject not being very large, the statement of particulars will not be a lengthened statement, and, therefore, I should hope to bring the Bill in on Monday night, after the House has disposed of the principal Orders of the Day.

MR. CHAPLIN asked what the right hon. Gentleman proposed to do with the Customs and Inland Revenue Bill and the Procedure Rules? Would either of these be taken in the course of next week?

MR. GLADSTONE: With respect to the Customs and Inland Revenue Bill, and to the Resolution relating to Parliamentary Procedure, I consider that both of them are for the moment displaced by the urgency of Irish Business. Neither of those subjects will be taken in the course of next week; but I will then endeavour to give the House some further information as to the course which we intend to follow.

Sir MICHAEL HICKS-BEACH: When will the Prevention of Crime (Ireland) Bill be printed and circulated among hon. Members?

Mr. GLADSTONE: The Secretary of State for the Home Department, who is not in his place at this moment, was most anxious that the Bill should be circulated to-morrow, and he hoped that it would be. My information is not absolutely original, but I understand that the circulation of the Bill may be as late as Monday.

IRELAND—THE ASSASSINATIONS IN THE PHŒNIX PARK, DUBLIN.

Mr. MACFARLANE asked whether there was any truth in the report of the capture of the assassins of Lord Frederick Cavendish and Mr. Burke?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): No, Sir, I regret to say that no information on the subject had reached the Irish Office when I left this afternoon.

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

GRAND JURY SYSTEM (IRELAND).

RESOLUTION.

Mr. HEALY, in rising to call attention to the Grand Jury system in Ireland; and to move, "That, in the opinion of this House, immediate reform is required," said, the subject of Grand Jury reform had occupied the attention of the House for a considerable period. In 1842 a Royal Commission inquired into and reported upon the working of the system; in 1868 a Select Committee of the House of Commons, consisting of 16 Members, all of them belonging to the landlord class, reported in favour of its reform. Founded upon the Report of that Committee, the Government of the day brought in numerous Bills in 1872, 1873, 1876, and 1878. The necessity for reform being so urgently felt, a promise was made in Her Majesty's Speech at the beginning of last Session that the question of Local Government would be dealt with. But while the Government passed two Coercion Acts, which had worked badly, and one Land Act, which had worked likewise, the subject of Grand Jury reform was left untouched. In the Queen's Speech this Session no allusion was made to the subject, or, indeed, to any other Irish measure of concern. The House must be aware of the anomalies of the system. Grand Juries practically consisted of landlords, because all the Irish magistrates were landlords. These magistrates were selected as Grand Jurors by the Sheriff, who was himself appointed by the Government. The associated cesspayers were balloted for by the magistrates out of the highest rated occupiers in the district; but they were not compelled to attend, and there was no security for the proper representation of the people, so that the entire fiscal arrangements of the country were dealt with by a class which had no community of feeling with the people. To give an idea of the extent of this power, he might mention that last year the Grand Juries throughout Ireland expended £1,240,000—that was to say, a number of gentlemen, simply because they had been called by the Lord Lieutenant to be justices of the peace, mulcted the people to the extent of £1,240,000, without those people having any popular representation to check it. He had several times called attention to the manner in which Grand Juries presented compensation for malicious injuries. Their duties at present were of a very multifarious nature. They had the making of bridges and roads, and, until recently, the building of courthouses and county gaols. Now, there were two Bills before the House by which it was proposed to extend their powers still further. He referred to the Corrupt Practices Bill, which proposed to give them power of levying money to defray the expenses of Election Petitions where the Judges thought fit; and the coercion measure introduced last night by the Home Secretary, which proposed that in the cases of murder or malicious injuries to human beings, the Grand Juries should have the same power of presenting compensation as in the case of injury to property. He saw no reason why, if compensation were given for malicious injuries to property, compensation should not also be allowed in cases of murder and malicious personal injury, and would not object to the powers to be conferred by those Bills if the tribunal to present the compensation was a fair one, impartially selected, and that it represented the people. He would give a few examples of how they discharged their fiscal duties. *The Cork Daily Herald* of March 17th reported the case of a man named Hayes, who claimed compensation for malicious injury to what he called a valuable mare. The Presentment Sessions allowed £10. Before the Grand Jury Hayes claimed £80; and a dialogue took place between some Grand Jurors and the solicitor for the taxpayers, during which Captain Somerville stated to the solicitor—"If you interfere any further we will make it £80." The solicitor replied that if the Grand Jury held out such a threat they could do what they liked, and he would retire from the case. The Grand Jury then passed £54 compensation. The veterinary surgeon proved that the valuable mare was alive and well, and had sustained no injury whatever. The hon. and gallant Member for Galway (Colonel Nolan) was recently refused a Select Committee to inquire into a case in which the Grand Jury of Galway levied an assessment so as to exclude all their own property, and to throw it exclusively on the tenants of the hon. and gallant Member. Enormous sums were also given by the Cork Grand Jury at the last Assizes to several persons. These cases came on appeal before Mr. Baron Dowse, who, perhaps, commanded the utmost amount of public confidence, and he, in several cases, considerably reduced the amount. In one case, where £300 was given to a man named Copithorne, from Skibbereen, the learned Judge reduced the amount one-half, remarking that he was not sure but that even this was too much compensation. It was clear that, wherever the Grand Jury considered they might inflict a fine upon persons having popular sympathies, they invariably did so in a merciless manner, and resorted to many methods of excluding themselves and their friends. But when a man who was a Land Leaguer claimed compensation for malicious injury, inflicted, perhaps, by landlords or by Emergency men—and several cases of this kind had occurred—the claim was rejected. James Brown, of Birr, a man of popular opinions, sought compensation for the malicious burning of a hayrick, and, notwithstanding clear evidence of malice, the Grand Jury absolutely quashed the presentment. His contention was that, whether the Grand Jury system worked fairly or unfairly, being an anomalous system, it ought to be abolished. It was too much for the House to say that in the 19th century, when popular representation had come into play in all other bodies having the disposal of public money and the taxation of the people, the Grand Jury system, which represented nobody but the landlords, was to be maintained. He believed that no subject in Ireland excited the popular feeling more than the action of the Grand Juries at the Assizes. He did not impeach their conduct so far as concerned the bringing in of true bills, but the exercise of their fiscal powers with regard to the management of local affairs. The matter had been investigated by Royal Commission and by Select Committee; but the time of the House was taken up in passing Coercion Bills, and an important subject like this the Government did not think it worth their while to deal with. Virtually, the Grand Jurors of Ireland consisted of the magistrates, and no one else; and particularly in such matters as giving compensation for malicious injury and the making of roads, the rates they imposed should fall equally upon all classes. Under such circumstances, they would not have the same ground of complaint; but here Grand Jurors had not merely the power of enforced compensation in the country over which they had jurisdiction, but they had positively the power to pick out certain districts to allot the whole amount upon certain parishes. They were told by the Home Secretary that the Bill introduced on Thursday night was to be retrospective; and, therefore, if the relatives of the noble Lord claimed compensation for his dreadful murder, the inhabitants of Phœnix Park, the Lord Lieutenant and the Chief Secretary, would be mulcted in the amount. This was one of the extraordinary outcomes of the Bill of Thursday night. He would not oppose the granting of compensation for malicious injury to persons any more than he would for damage to property, so long as the body giving the compensation was a representative body. He should certainly offer the greatest opposition to any proposal for handing over such increased power to a body which simply represented the landlord class—a class described by the hon. Member for Dungarvan (Mr. O'Donnell) as the "residuum of Cromwellism." What he complained of was that, whereas the Government and the Conservative Administration admitted the necessity of local self-government, and that the powers of Grand Juries ought to be restricted, the Government, by the Bill which they introduced last night, actually proposed to enlarge the area of the operation of the Grand Jury system in Ireland. The Grand Jury question was one upon which the Irish people felt very keenly; and whilst they welcomed an Arrears Bill to deal with their temporary necessities, they felt that the standing requirement of the country was good government. The re-modelling of the Grand Jury system and the establishment of County Boards he took to be a necessary foundation of law and order in that country. The best way to train the people to habits of law and order was to enable them to govern themselves, to infuse into them a feeling of responsibility, to make them feel they were a part of the body politic, that they were within the pale of the law, and that if they were taxed they were represented. The subject was one on which the Government admitted its responsibility; and what he wanted to place on the Books of the House was a Resolution that a reform was not only needed, but was urgent. He trusted that before long they would have vigorous legislation on the subject. He felt regret that while beneficent pledges put into the mouth of Her Majesty by the Government at the opening of Parliament should so frequently be disappointed, pledges of Coercion Bills were always kept. It was a bad thing to teach the people of Ireland that the demands of the Tories, who had no sympathies with the people, and who regarded them as simple machines for grinding out rents, would be listened to by the Government, and that there would be no hesitation in bringing forward repressive legislation; while, at the same time, the Government paltered with its pledges to introduce beneficent measures such as he now demonstrated to be necessary and urgent. In conclusion, he begged to move the Amendment of which he had given Notice.

Mr. O'DONNELL, in seconding the Motion, said, that reform in the Grand Jury system was more imperative than ever since the Government proposed by their new Bill to confer very important additional powers on the Grand Juries of Ireland. Such reform lay at the very basis of the restoration of confidence amongst the people of Ireland. The grievance had been admitted. A couple of years ago the present Government undertook to deal with the question of County Government in Ireland; but they abandoned their design in order to bring in the Bill which afterwards became the Coercion Act, and which had proved so disastrous to Ireland. There was no one who had any knowledge of the relations between the Grand Jurors and the cesspayers, between the landlords and the mass of the people of Ireland, but had his memory stored with cases of the most scandalous injustice and of the most gross partiality on the part of the Grand Jurors whenever they had the opportunity of showing their partiality at the expense of the people. The hon. Member for Wexford (Mr. Healy) had done good service to the cause of the people of Ireland, and to the cause of order, in drawing attention to the defectiveness and shortcomings of the Grand Jury system of Ireland, especially in connection with the new Coercion Act. Most important powers under the Bill were proposed to be conferred on Grand Jurors, and they might be perfectly sure that these powers would be exercised, especially at the present crisis, in entire accord with the injustice which had become traditional. If there was any way in which the Grand Jury system could be made more effectual in stirring up class hatred that would be by the proposed working of the Compensation Clauses of the new Coercion Act. Many instances could be adduced of the way the Grand Juries gratified, in the most despicable and cruel manner, a party grudge. He referred particularly to a resolution of a Grand Jury in Galway, which exempted every part of the county except the land owned by the Liberal and Home Rule Member for the county (Colonel Nolan) from an imposition of a rate of 8*s.* or 9*s.* in the pound for compensation for some alleged malicious act. This, when first mentioned to the

House, was thought by some to be an unaccountable freak of Grand Jury caprice; but when it became known that the tenantry on whom this imposition was made was that of the man who had shown the first great example of justice to the peasants in the West, everyone knew that the hon. and gallant Member was being struck at through his tenantry. It was the conviction of very many persons that the rick-burnings, the maiming and mutilation of cattle, and other instances of malice and brutality paraded in the newspapers, were stimulated and encouraged by the way in which compensations were assessed. When these took place on the land of the landowning class, they were sure to receive, not only compensation, but an amount far above the market value. In County Wicklow a rick of hay, the property of Mr. Gordon Tombs, was found to be on fire. It was not known whether it caught fire accidentally or was the work of an incendiary; but the whole population of the district turned out to extinguish the flames. Nevertheless, the Wicklow Grand Jury persisted in regarding the fire as malicious, and saddled the population of the district with the payment of £300 compensation. No doubt, many a landowner in the district must have reflected that compensation for malicious injury was a more profitable line of business than disposing by sale of ricks of hay in the open market. On the other hand, nothing could induce a Grand Jury to grant compensation for the malicious destruction of the property of those known to be in sympathy with the popular Party. In the North of Ireland, a couple of months ago, a case occurred of scandalous partiality. The lady occupying the Roddy Hotel allowed posting horses to be hired by a Land Leaguer in Donegal, and although it was proved beyond doubt that one of the horses was poisoned with arsenic, the Grand Jury refused compensation. There was no honesty, no respect for justice, and no sense of decency—no regard for public opinion in these bodies, and to increase their powers would be the more effectual means of making worse the present condition of things. Unless they were deprived of their powers of partizan decisions and unjust taxation and corrupt jobbery, it would be impossible to instil into the minds of the people of Ireland confidence in the administration of public business. There was not a county in Ireland in which they could not collect 50 tales of jobbery and partiality of a scandalous nature on the part of Grand Juries.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is expedient that the Grand Jury system in Ireland should be immediately reformed,"—(*Mr. Healy,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

COLONEL COLTHURST said, he could not support the Motion of the hon. Member for Wexford (Mr. Healy) if it went to a division, because it was evidently impossible for the Government to deal with that question this Session. His own opinion, however, of the demerits of the Irish Grand Jury system, taking it in its fiscal capacity, was as strong as that of the hon. Member for Wexford. He believed that one of the reforms that were most needed in Ireland was the establishment of County Boards. Had it not been for the circumstances in which they found themselves at the present moment, he should not have taken part in the debate; but they knew that by the new measure the Government had introduced it was contemplated to give very large powers to Grand Juries in the way of levying compensation for murder or malicious injury, and of applotting the amount on certain districts. He did not say a word now on the principle of levying those fines; but he maintained that, if they were to be levied, the Grand Jury was not the body which should either levy or applot them. To require them to do so would be putting on them an invidious task, and one of which they could not acquit themselves with satisfaction to the community. The initiative rested with the presentment sessions, by whom the most ridiculous things were passed, and afterwards passed again by the Grand Juries. If the Government must bring in the clause for giving the compensation to which he had referred, he hoped that they would consider whether they ought not to take the matter entirely away either from the presentment sessions or the Grand Juries, and leave the Executive to deal with it, as in the case of the proposal in regard to the police.

Sir HERVEY BRUCE said, that having served for 40 years on Grand Juries in Ireland, he could not pass unnoticed the ferocious attack made, not on the Grand Jury system itself, but on the persons connected with it by two hon. Members who had spoken from below the Gangway on his side of the House. If the description given by the hon. Members was taken as correct, one would imagine that the Irish Grand Juries were the most corrupt set of people in the world. He flung back that imputation with scorn. In no country in the world would there be found country gentlemen who were performing their duties under more difficult circumstances than the country gentlemen of Ireland now experienced; and they were still determined, as far as they were permitted, while their lives were spared, to continue the performance of their duties in that country where Providence had placed them in some way to guard the interest of their poorer neighbours. The statements made by the hon. Member who introduced the Motion were without foundation, because he omitted altogether to mention a most important portion in the system. No presentment could be made unless it had been before the magistrates in Quarter Sessions, who had with them the associated cesspayers of the district. It rested with the Grand Jury to applot the amount of damage, and say where it was to be placed; but it rested with the cesspayers in session first to say whether the injury was malicious or not. In reply to the charge that paid juries refused to grant roads to Roman Catholic chapels, he would say, coming himself from a district which was mainly Protestant, that the Grand Jury had been most scrupulously regardful of the wants of their Roman Catholic neighbours, and had stretched a point on many occasions to give them accommodation to reach their places of worship. When his own house was burnt the Grand Jury of his county refused to give him any compensation; whereas they might have done otherwise if they only wished to support the landlords of Ireland, as had been unjustly imputed to them. Those gentlemen had endeavoured to do their duty faithfully under the system which existed. Whether it was the best system he did not say. When a Bill on the subject was brought in he would express his opinion upon it. But he now personally hurled back with indignation the foul aspersions which had been cast on the gentlemen of his native country.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, he believed that there was no section in the House, and he doubted whether there was any individual Member, who did not agree in the abstract Resolution now presented for consideration by the hon. Member for Wexford (Mr. Healy). From every part of the House sympathy with the object of the Resolution had, at some time or other, proceeded, and Bills had been brought forward on that subject, which, owing to circumstances over which those having charge of them had no control, had not hitherto resulted in legislation. He, on the part of the Government, entirely sympathized with the Resolution, but took exception to the word "immediate," which, if adopted, would make it imperative on the Government to deal with the matter at once, a task beyond their power, having regard to the business to be done in dealing with a subject of this kind. He thought, with the hon. Member for Coleraine (Sir Hervey Bruce), that they should not mix up objections to the system with individual miscarriage. Everyone who knew Ireland—and that was an expression which he was obliged to use frequently—knew that in that country a most unhappy propensity for jobbing prevailed. It was not confined to any class or to any profession. In his long and varied experience he had found that one of the main objects of one body or class in Ireland was to correct the jobbing propensity of some other class or body. He did not think, therefore, that the Grand Juries should be singled out as a class which, above others, were persistent and consistent jobbers. There was one matter in which Ireland could compare favourably with any other part of the United Kingdom, and that was with regard to public roads. The roads were entirely under the control of the Grand Juries of Ireland. [Mr. Healy: Who pays for them?] The Irish people paid nothing in the shape of turnpike; they paid county cess. Up to the passing of the Land Act of 1870 Grand Jurors did not, as a general rule, pay the county cess for any land except that in their own occupation; but that Act altered the incidence of the cess on landlord and tenant as to all lettings subsequent to that Act in which it was not excluded by express agreement, so that it was borne as to one half by the person who received the rent, and as to the other half by the person who paid the rent. Grand Jurors were not exempted from the Land Act of 1870, so that they did not at present constitute a body which did not pay part of the taxes they disbursed. The broad ground that the Government and also the Opposition recognized was that representation should always accompany taxation. That was the principle that governed the Poor Law, and it worked well; and, beyond all doubt, at the earliest moment of public time that was at the disposal of the Government, there was no matter relating to Ireland which demanded, and would receive, more immediate attention than this. He could not agree with the hon. Member for Wexford that Ireland had not received at the hands of Parliament her proper share of attention.

MR. HEALY: I beg the right hon. and learned Gentleman's pardon. I said "except as regards the Coercion Acts."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that this Session, at any rate, there had been no Coercion Acts. Speaking from painful personal experience, having had to be in the House from half-past 4 in the day till all hours at night and the small hours of the morning, he protested that three-fourths of the time of the Session had been occupied, in one way or another, with Business connected with Ireland. The hon. Member said a Coercion Bill was going to be introduced. Would not the hon. Member support a measure for sustaining and increasing the powers of the ordinary law in order to bring criminals to justice, and not allow the country to be stained so foully as it was last week? The hon. Member misconceived the Bill which would be laid before the House in assuming that the provisions of the Irish Grand Jury Act would be embodied in the measure. The Bill was intended to strengthen the hands of the Administration, and any powers relating to compensation contained in it would be placed entirely in the hands of the Executive. If the Executive were unable to deal fairly and justly in the matter, that would not be a reason for opposing the Bill itself, but rather for displacing the Executive. With reference to the distinguished nobleman who was at present administering affairs in Ireland, he thought no one would deny his honesty of purpose and desire for fair play. In malicious injury cases, any party discontented with the finding of the Grand Jury was at liberty to have it reviewed by a Judge and jury. The question ought not to be run away with simply because the hon. Member was able to lay his finger on one or two isolated cases. He was sorry to say that he was old enough to have acquired by experience the lesson which he had asked the House to apply—not to judge a question without hearing both sides. He was not acquainted with the facts of the particular cases mentioned, and he would ask the House to suspend its judgment in the matter till it had heard both sides; but he had made inquiry into one of these cases which was the subject of a Question—namely, Hayes's case—and in that case he thought a gross act of injustice was done to Hayes at the presentment sessions.

MR. HEALY: Is the right hon. Gentleman aware that the Judge actually reduced the Grand Jury's presentment?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Yes; but how much did he reduce it? Hayes was what we call a "Boycotted" farmer, who had an exceedingly well-bred filly. This filly was stabbed. There was no question of accident in the matter. It was clear and distinct malicious injury done to a man who fell under the popular ban. Could anyone say it was not a grossly inhuman and savage thing to wreak personal spite on the poor beast? The mare was stabbed, and thus the man's pocket was injured. She was worth about £35 or £45, but the presentment session gave him £10 and kicked him out of Court with insult. The Grand Jury gave him substantial damages, which were traversed before the Judge and a Petty Jury and reduced. That showed that if the system was wrong in principle it did not always work with injustice. He must ask the House not to run away with the notion that because a system was bad in principle — which he thought the whole

House accepted—that therefore it was wrong to all intents and purposes. Practically the system did not work badly as a general rule; theoretically it was entirely wrong; politically the Government were most anxious, and, indeed, were pledged, as far as he recollected, by the Queen's Speech, as were the Opposition by their action, to revise the system at as early an opportunity as possible, and in doing that to carry out the canon that representation should accompany and control taxation. Of course those who did not succeed were apt to smart under a sense of injury and, in the belief that they had been grossly wronged, to express themselves in language almost as sweeping as that used by hon. Members opposite below the Gangway; but he put it those hon. Members whether it was not of greater importance now to relieve the immediate necessities of the tenants, to try and restore harmony between the estranged classes in Ireland by the proposed Bill with regard to arrears, than to attempt to deal with the requirements of the Grand Jury system? Was it not also more necessary that the arm of the law should be immediately strengthened, so as to be able to bring criminals to justice, than that county government should be reformed? The reform demanded by the Resolution was rendered impossible this Session by the state of Public Business; and the Government, therefore, while they sympathized with those who desired to reform the Grand Jury system, could not accept a Resolution pledging them to immediate legislation on this subject. He trusted, therefore, that the matter would not be pressed further; but that the Government might have their opposition to the Motion obviated by its withdrawal.

Mr. PLUNKET said, he did not rise to continue the debate, but to make an appeal to the hon. Members representing Irish constituencies. He agreed with the right hon. and learned Gentleman opposite that it was impossible for obvious reasons to give practical effect to the Resolution. The subject was a very large and technical one, and he did not propose to discuss it; but he wished to appeal to hon. Members below the Gangway not to proceed with the debate in the tone adopted by the first two speakers. How could they ever arrive at a satisfactory solution of any question in Ireland if speeches were to be made in which such sentiments were expressed? He had been perfectly amazed to hear one hon. Member declare that the Grand Juries had "no honesty, no decency, no respect for public opinion," and that "there was not a county in which you could not find many cases of oppression." It was not wonderful that the hon. Member for Coleraine (Sir Hervey Bruce) should have made a strong protest, which, for his own part, he heartily endorsed, against such wholesale charges. Those charges were almost always indefinite, and there was, therefore, no chance of specifically refuting them. By way of testing their general accuracy he might mention that the whole matter had been considered by a Select Committee in the year 1868, which was composed, among others, of the following Gentlemen, all of them good specimens of loyal and patriotic Irishmen—Lord Mayo, Mr. Chichester Fortescue, Mr. Maguire, Mr. Blake, Sir William Gregory, Sir Colman O'Loghlen, and Colonel French. The Report was unanimously adopted; and in answer to the charge as to the honesty and the decency of Grand Juries, he would quote this passage—

> "Such are the principal objections to the existing system; and having carefully considered the whole of the evidence, your Committee have come to the conclusion that, however open to objection certain portions of the Grand Jury system may be, its administration is generally pure and economical."

That was the opinion of the Committee. There had been, no doubt, grave charges made against individual members of the landed classes in Ireland; but it had been almost universally admitted that the landlords who held great estates and were prominent in their counties were as good landlords as could be found anywhere, and those were the men of whom the Grand Juries were usually composed. He did not wish to say anything in recrimination; but he did appeal to hon. Members, if they wished to carry the debate on, not to indulge in language or make indefinite charges which could have no other effect than to stir up fierce antagonism between the various classes which had to live together and who ought to live in harmony in Ireland.

Mr. BLAKE said, that, as the last surviving Member in that House of the Select Committee of 17, to which reference had been made, he desired to offer a few words on the subject. He wished that the right hon. and learned Gentleman had quoted more extensively from the Report; for, had he done so, he would have found that the Committee was unanimous in favour of some reform of the system. No doubt some very unjust charges had been made against the Grand Juries; but he believed there was much of which the ratepaying community might fairly complain. There was taxation without the power of properly controlling expenditure, as the cesspayers were not fairly represented. The Grand Jury were the nominees of the Sheriff, and they nominated the associated ratepapers. In his own county (Waterford), the Duke of Devonshire and the Marquess of Waterford were the largest landowners, and in that capacity he desired to allude to them with every respect. The Duke of Devonshire, though a good landlord, was an absentee; and, notwithstanding that he drew £40,000 a-year out of Ireland, the only property for which he was assessed was Lismore Castle, and the cess for it must be under £25. The Marquess of Waterford drew £30,000 from the county; and as there had been very few tenancies created on his estate since 1870, his case formed an instance in which nearly all the county cess was paid by the tenants. This arose from the fact that on his estate, as well as that of the Duke of Devonshire, there were very few evictions, and consequently few re-lettings, since 1870, so that hardly any of the tenants on either estates came under the benefit of the Act enacting that in all lettings since 1870 the cess should be divided between landlord and tenant. It was so also with numerous tenants throughout Ireland. Another very great grievance the ratepayers suffered under was that they had to bear all the cost of the lunatic poor, which, he was sorry to say, were increasing. In the City of Waterford they had only to walk from the workhouse, which was supported equally by landlord and tenant, across the road to another institution, the lunatic asylum, for which the tenants were solely taxed, while they had no voice in the election of the Board of Governors. Though the subject of Grand Jury reform had been before the House close upon 18 years, no step had been taken to carry out the important recommendations of the Select Committee. He fully agreed with the Attorney General for Ireland that there were more pressing subjects to be disposed of; but when that was done, he earnestly hoped that this long-standing grievance would form part of the Government programme next Session.

MR. GIVAN, as one who had expressed very strong opinions on this subject from time to time, desired to say a few words now. He believed that next to the demand for Irish remedial legislation in respect of the Land Law, there was no question of more importance than that now before the House. The whole Grand Jury system of Ireland, from top to bottom, tended to jobbery and corruption. Yet, if there were one branch of this system of jurisdiction which he would continue to repose in Grand Juries, it was that of adjudicating upon cases of malicious injuries, and of any assessments in connection with them. The greatest protection that men had from crime in Ireland was the power of Grand Juries to compensate them out of their own pockets and out of the pockets of their neighbours. Though the Grand Juries had not been economical or altogether fair in the expenditure of public money, he must say, from his own experience in the North of Ireland, that they had always exercised a wise, careful, and conscientious jurisdiction in connection with the assessments for malicious injuries. He could not agree with the right hon. and learned Gentleman (Mr. Plunket) that the Grand Juries were mainly composed of the great landowners of the country. If that were so, they would have a better state of things. In the county of Tyrone, where there were such great landlords as the Duke of Abercorn, Lord Belmore, and others, he ventured to say that for the last 20 years not one of them had acted as a Grand Juror. They were represented by agents, who had no land in the county, and were often entire strangers. The same was the case in the county of Monaghan, where there were such great landowners as Mr. Shirley, Lord Clonmell, the Marquess of Bath, and Lord Dartrey. The whole Grand Jury system required to be re-modelled. The people must have representation, and until they got it there would be amongst them irritation and excitement. There being no second opinion as to the necessity for reforming the system, he hardly knew the object for bringing forward the present Motion.

Mr. O'SULLIVAN, in supporting the Motion, observed that this was not a question of individual representation on Grand Juries. It was a question of system. There were many systems in Ireland which needed reformation, but none of them more so than that of Grand Juries. The great complaint was that under the Grand Jury system in Ireland there was a power of taxation without representation. Outside a certain number of families in the counties, no one ever saw a Grand Juror selected from year's end to year's end. It should be remembered that, while the Grand Jurors had the power of taxation, many of them never paid 1*s.* themselves. None but the immediate relatives of Grand Jurors were appointed collectors of county cess, and these gentlemen were paid 9*d.* in the pound, while the Guardians of the Poor paid only from 4*d.* to 6*d.* for collecting a rate, which was much more troublesome. He had known many instances in which respectable and solvent men had offered to collect the county cess for 5*d.* in the pound, and others were preferred and paid 9*d.* in the pound. In his own town, within the last few years, the Grand Jury took a site for a court-house from the brother of a Grand Juror; they laid out £300 or £400 upon it; and when the court-house was built and the contractor paid, it was then discovered that the man had no title. Certainly a compact had since been entered into, and they had taken possession; but the system remained the same. In the payment of claims they were equally careless. They were not directly elected from the cesspayers, but were simply the nominees of the High Sheriffs. The Attorney General for Ireland said Grand Juries were not the only bodies in Ireland who practised jobbery. Very true; but in every other case the people had the power of putting aside the jobbers at the elections. They had no such power with the Grand Jury. The right hon. and learned Gentleman also told the House that since 1870 in all lettings the county cess was divided between landlord and tenant. But the fact was, that in nine cases out of ten, the landlord or agent had written the tenant out of his right. At all events, in seven cases out of eight which had come within his own knowledge, that had been done.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) explained that in the case mentioned by the hon. Member, the Grand Jury were not in fault. The case turned upon the construction of a document.

Mr. T. A. DICKSON said, the necessity for reform in regard to the Grand Jury system in Ireland was generally admitted, and the only question before the House was the time at which reform could be effected. It was evident nothing could be done this Session; but he hoped that next Session it would be one of the first measures taken in hand by the Government of the day. It had been said that the great object of the Grand Juries was to protect the interests of their poorer neighbours. Certainly in Londonderry their poorer neighbours did not give the Grand Juries much credit for doing so. Personally he had had but little experience in serving on Grand Juries, because being a Liberal in politics he was probably ineligible to be chosen. Notwithstanding that, he paid more county cess than half the others on the list. Those who served were usually hangers-on and agents without property. The money expended by the Grand Juries amounted to £1,500,000, and the cesspayers had no voice in connection with that expenditure. They might be told that although the cesspayers had no direct voice or vote in the expenditure of the public money, the control was in the hands of the associated cesspayers, together with the magistrates. But these were in the first place chosen by the Grand Juries, who, of course, were careful to select men who were not obnoxious to them. Thus the cesspayers could not be said to represent the people. The question had been trifled with for 15 years by both the great Parties in the State. He did not regret the delay which had taken place, for he believed that in the coming Session of Parliament, or very soon at all events, the question must be dealt with, not only for Ireland, but for England as well, in a broad and comprehensive spirit, and they should yet have in Ireland a proper and thorough system of Local County Government.

Mr. SYNAN said, he supposed that the only useful object of the Motion was to ascertain the views of the Government, and when they proposed to deal with the matter. This was not a question of who was or who was not selected to serve on Grand Juries. It was a broad question of the right of taxing the occupiers of land in Ireland without permitting them to be represented in the taxing body. It was a most serious thing for people to be taxed by those who did not represent them, and this it was that made the Grand Jury system more objectionable than anything else they could imagine. In no other part of the world did they find such a system as that which existed in Ireland. Why should matters have been left, not for 15 years, but for 30 years, in such an objectionable state? He could only account for it upon the principle that in everything Ireland was to be left behind, and that everything which concerned Ireland was to be shelved. He could not complain that Ireland had not occupied a great deal of the time of the House during the last two years, for it certainly had; but he could not understand why the Government should have ignored this question for 14 years previous to that. When it was dealt with, he hoped it would be included in a broad measure of local government for Ireland, and that the Act of 1870 would no longer be disregarded as a dead letter. He hoped that, short as this Resolution was, and short as the discussion would be, they would have the effect of inducing the Government to bring forward the question and deal with it on the first opportunity.

MR. FINDLATER said, there could be no doubt that very serious abuses had arisen under the present Grand Jury system. Large sums were expended out of the cesspayers' money by Grand Juries in building handsome banquetting halls and other rooms for their own exclusive luxury and comfort. This required correction. A year or two ago a leading Dublin journal published a series of articles on the subject; and from a perusal of these articles he was very much surprised to find how widely diffused those abuses were amongst the Grand Juries in the different counties in Ireland. As the matter was now thoroughly ventilated, and the great majority of the House were satisfied that the system required amendment, although not disposed to deal with it at present, he hoped that the hon. Member for Wexford (Mr. Healy) would not press his Resolution to a division; for if it was an adverse division, he felt that it would be most injurious to the cause. The best service the hon. Member could render the interests he had advocated was to withdraw his Resolution.

MR. BIGGAR said, he did not agree with the hon. Member, for his experience went to show that the largeness or the smallness of a majority or minority had very little to do with the final settlement of a question in that House. He remembered the case of the Malt Tax. The minority supporting the appeal was 18; but, in spite of the smallness of the minority, one of the first taxes repealed by the Government was that very tax. The whole question resolved itself into what suited the convenience or the supposed interests of the Government for the time being. Nor could he agree with the hon. Member for the County Limerick that they were flogging a dead horse. Altogether they had succeeded in extracting from the Government a more or less pathetic reply that at a period more or less remote they would take up the question. They acknowledged the necessity of a settlement of the question, and that question cried loudly for reform. The only way to get that reform was to keep bringing the matter under the notice of the Government. That taxation and representation should go together there could be no difference of opinion; but this Grand Jury system went a great deal further than even taxation and representation. The hon. Baronet the Member for Coleraine (Sir Hervey Bruce) gave a very warm character to the jurors of the county of Derry; but Derry was differently situated, in some respects, from any other county in Ireland. A very large proportion of the land of the county was in the hands of Companies who had no representation from their properties on the Grand Juries; and the result was that there was in the county of Derry a comparative scarcity of suitable persons for grand jurors. From time to time, traders of the City of Derry had got on Grand Juries for the county of Derry, and had also held the position of High Sheriff; and he thought the county of Derry did not fairly represent the system pursued in the various counties of Ireland, and that it was not an instance which could be quoted. With regard to the question of taxation and representation, the hon. Baronet also said that these grand jurors were very careful of the interests of their poor neighbours. That might be the case in the county of Derry; but certainly, in his experience in some counties with which he was more or less acquainted, it was not so. The sort of men who usually got the position of high constable were men who were political supporters of the dominant Party in the county; and he thought it a reprehensible system for a Grand Jury, which had the power of taxation in the county, to use that power to further the interests of political Parties by giving situations to their hangers-on at a higher rate than was given to others. Grand Juries were not entitled to the very warm praise with which one or two Members of the House had spoken of them. Grand Juries gave the county printing to Conservative newspapers for the purpose of giving them a partizan support. That was done at the expense of the ratepayers, to his knowledge, so far as concerned the county of Antrim, for in that county the Grand Jury refused to give the county printing to a printing establishment, which was quite as respectable as the Conservative newspaper which the Grand Jury patronized, although the printing establishment whose offer was declined would have done the work for several hundred pounds less. The Government urged that there were matters of a more urgent nature than this question of the Grand Jury system. He knew the Government were bound to satisfy the prejudices of a certain class of Englishmen by bringing forward a Coercion Bill; but he believed the second most urgent question in Ireland was the question of county government. He never heard a farmer speak of the system who did not say that the system of Grand Jury government was one of an urgent nature. He thought, in dealing with the matter, they ought to refer to individual cases, and then draw inferences from these individual cases. With regard to the general principles of the question, the hon. Member for Wexford mentioned a case in the South of Ireland in which a large award was made by a Grand Jury; and he thought such cases showed the partizan spirit of the Grand Juries. It was pointed out by the Attorney General that the parties aggrieved could appeal from one Court to the other; but that meant a further burden of law costs upon the unfortunate sufferers. Grand jurors were selected from a certain particular ring in county society, and they kept all the patronage within their own circle. As to the division of the county cess between landlord and tenant, that only happened in cases where there had been an alteration in the rent or tenancy; and, therefore, the argument of the Attorney General came to the ground on that, as well as on all other points in the controversy. The whole case against the Grand Juries was too strong to need argument; but he hoped that the hon. Member for Wexford would press his Resolution to a division.

Question put.

The House *divided* :—Ayes 118; Noes 24: Majority 94.—(Div. List, No. 78.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

VAGRANCY (ENGLAND AND WALES).

OBSERVATIONS.

SIR BALDWYN LEIGHTON, in rising to call the attention of the House to the great increase of Vagrancy, said, had the Rules of the House permitted, he should have moved—

> "That the increase of Vagrancy, together with the causes and remedies for the same, require the early attention of the Government."

His object was to obtain information on this subject, which it was impossible for private Members to do without the aid of the Local Government Board. The subject was one of great importance, many Unions having brought the enormous increase which had taken place in vagrancy before the notice of the right hon. Gentleman the President of the Local Government Board. The Local Government Board did not give sufficient or immediate attention to these representations; it was now nearly six months since their attention had been called to the matter; whereas, in such a case, their own Inspector should have done so. Notwithstanding the regulations of the Board dealing with the relief which was to be given to vagrants, during the last 20 years there had been a great, he might say an alarming and continuous, increase in their numbers. What made it more serious was the terrorism which they began to exercise over orderly and respectable persons; some roads being so infected by them as to be inconvenient, if not unsafe to travel upon. In 1869 and 1870 the numbers decreased, owing to the great amendment that then took place in Poor Law administration; but while in 1873 the numbers were 1,900, in 1880 they were 7,000. That showed great fluctuation; but, at the same time, a very serious increase. The present vagrant army sleeping in workhouses was between 6,000 and 7,000; about three times as many more were known to the police as vagrants—say, 20,000—half of whom were more or less wayfarers, and half of whom were undistinguishable from the workhouse tramp, making the vagrant body about 16,000 or 17,000, at least. Now, the fluctuations of the number of the workhouse tramps were very remarkable. Without giving each year, and taking the rise and fall since 1861, there were, according to the Return, of those sleeping on January 1st in workhouse wards—1861, 1,179; 1867, 3,566; 1868, 6,053; 1870, 4,147; 1873, 1,987; 1880, 7,041. Then, as regards separate Unions, he had obtained Returns from about 20, showing the increase since 1876 for the half-year. These were 10 typical ones—

	1876.	1881.
Atcham ..	.. 450	.. 1,880
Tenbury ..	.. 350	.. 1,118
Langport ..	.. 160	.. 410
Hatfield ..	.. 550	.. 2,133
South Molton	.. 110	.. 312
Burton-on-Trent	.. 592	.. 6,986
Stafford ..	.. 1,838	.. 3,041
Tamworth ..	.. 740	.. 2,430
Uttoxeter ..	.. 929	.. 1,327
Seisdon ..	.. 118	.. 369

Showing an increase amounting to 300 per cent in the five years. By Returns obtained over a month or two in one Union he found that one-fifth of the vagrants were short-service soldiers, and of these one quarter, or thereabouts, were actually Reserve men. So that out of every 1,000 tramps about 200 were discharged soldiers, and 50 of them actually Reserve men—that was, if the proportion of other Unions fairly tallied with his own. Now, what were the causes of that increase? It was not easy exactly to define them; but two or three were apparent. Depression of trade was no doubt one; stricter or laxer administration might be another and a local cause. The short-service Army system might have something to do with it, in de-industrializing young men, and afterwards giving them just enough to be idle upon; and, possibly, the want of industrial training in their school children might have something to answer for. But the danger of the matter seemed to be that it was growing; and those who took to that life did not return to regular and industrial habits. It seemed to him difficult to imagine a more certain way of inculcating idle habits and vagabond life than taking a young man of 18 or 20, keeping him for six years, when he might be learning some trade, in a somewhat idle profession, and then turning him loose, with just sufficient to live a roving life, living in tramp wards and on what could be begged; and if that was so, the short-service system might have to answer not only for destroying the efficiency and solidarity of their regiments, but also for de-industrializing the young men who were enlisted, and forming a pauper Reserve, or proletariat reservoir. Without now going into the question, it appeared to him that if the Reserve could be formed out of the men enlisted for a shorter term—say, one or three years—and then passed to the Militia, who might be retained for half the present amount, and the Regular Army maintained out of a longer service or re-engagements, it would be a far sounder system; and that was the opinion of many experienced military men, altogether apart from the question of these men being in workhouses. Then, as regarded remedies, he was not prepared to offer any complete remedy or suggest any panacea; but he held that those who brought forward questions of that kind, or of any other kind, in Parliament, should at least attempt to offer some suggestion or alternative, whether it was for a domestic matter like that, a homely—he might say a homeless—question such as that, or a subject of high policy, and foreign affairs, and therefore he would frankly say what he advised. First, information as to what the most successful Unions had done in this matter, which the Local Government Board could collect and disseminate; and that was the most important matter. There was the Vagrancy Bill of the hon. Member for South Leicestershire (Mr. Pell), which it would be out of Order to discuss to-night, with its power of detention. That might do something, but not all. There was what was known as the Berkshire system, which was a system of tickets and bread at certain stations, together with a strict prosecution of those found begging, and a sterner sentence for those who threatened. There was much in that, perhaps; but it had not been always successful, and it had to be maintained by a voluntary subscription at present. That the Local Government Board could obviate, without coming to Parliament for new powers, if it were thought advisable. But his main object that night in calling attention to the subject was to ventilate the question in that House, and throughout the country; to get the Local Government Board to take up the matter, and to afford the House all the information in its possession regarding it. He hoped, also, that the right hon. Gentleman the Secretary of State for War would see his way to institute searching inquiries into the bearings and facts in connection with the subject, and do something in connection with the Army Reserve, which might in some degree mitigate the evil.

Mr. SALT said, he felt himself unable to suggest any definite or radical cure for the long-established evil of vagrancy. The question, however, was one of great interest and importance to the community; and thanks were due to his hon. Friend for bringing it forward. A few years ago, he himself had an opportunity of giving some attention to, and gaining a certain amount of information on, that subject at the very time when the causes of the increase of vagrancy were especially in operation. It was very difficult to speak positively on a subject of that kind; but he believed that the recent increase of vagrancy was very much due to the bad state of trade for a period of two or three years some few years since. He had noticed that matter during the years 1876, 1877, 1878, and 1879, culminating, as it did, in the year 1880. He had observed this very remarkable feature in respect to vagrancy throughout the country—that if they kept their attention fixed upon some particular district—for instance, on some great centre of the iron industry—they would find that a year or so after the adverse circumstances of trade commenced vagrancies spread gradually from that particular point throughout the Kingdom. What happened was this. Men who were thrown out of employment from the bad times held to their homes as long as they could, hoping for a return of better trade; but at last they left their homes, and started on a journey, sometimes in search of work. They went a certain distance; some of them got work; others did not. When they did not get work, they began to go further and further throughout the country; and he believed that the Poor Law Returns of the time would show that, year after year, the increase of vagrancy spread from the great centres of trade further and further into the country as those persons who were in want of work went further to obtain their object. What was the effect of that process on the men themselves who were wandering in search of employment? Many of them gradually found that a wandering life was easier, more profitable, and more pleasant than an industrious life; and the result had been that, in consequence of the bad times of 1877 and 1878, the wanderers from the great centres of manufactures, not having found work, and having got accustomed to sleeping in the unions at night, and begging their way during the day, had become confirmed and habitual vagrants. One of the first things they had to do was to appreciate the distinction between men who, from bad habits and education, habitually adopted the character of vicious vagrants and men who were honestly wandering about in search of work. He was in the habit of conversing with vagrants whom he chanced to meet, and his conversation with them had confirmed the impression he already entertained—namely, that there were a class of men who became vagrants by choice. Now, that class of men ought to be repressed; they were a dangerous class, and the cause of great trouble and annoyance to cottages at which they persistently begged, and whose occupants they threatened if their demands were not satisfied. They were men who went from bad to worse, and who ultimately generally joined the criminal classes. He did not now suggest any solution of the difficulty; but he wished to impress upon the Government the difference between the two classes. Some persons had suggested that the detention of these men in the workhouse for one night only was insufficient, and certainly it was open to grave objection. The ordinary vagrant who was taken in and sheltered at night received his breakfast, and had to do his task in the morning of picking oakum, or whatever it might be, and after that was discharged. The consequence was that he wandered about all day begging, or spending his time in some similar occupation until the evening, when he again obtained shelter in the same way. Perhaps such men might with advantage be detained for more than one night. On the other hand, when a man honestly started from his home in search of work, which he could not obtain in his own part of the country, it would be a great advantage to him if he could obtain tickets which would carry him through the country until he obtained the occupation he sought. And, more than this, the Poor Law Board ought to have some enlarged powers intrusted to them of enabling men who were honestly unable to obtain suitable employment to emigrate, not at the expense of the parish or Union, but of some larger area. There were many methods by which the vicious vagrant might be distinguished from the workman thrown out of employment. The use of the police had been tried with success, and was certainly worthy of the attention of the House. He did not propose to follow the hon. Baronet in his remarks on the effect of the short-service system generally, as he did not think a consideration of that subject would tend to aid their discussion on the present occasion. But he was not surprised to find that a certain number of men who had been in the Army had become vagrants. It must be obvious that a man who had spent six years of his life in military service would have great difficulty in making his way into the first class of artizans. It was quite clear, also, that as soon as any depression in trade made itself felt, the second-class workman would be the first to suffer. He urged on the Government, however, to spare no pains to distinguish between those who were compelled against their will to leave their own homes in search of work and those who wandered about from idle habits. The former should receive the sympathy of all, the latter were an idle and vicious class, who deserved no consideration, and which it should be the aim of the Government to abolish.

MR. CHILDERS said, that, until the hon. Baronet opposite (Sir Baldwyn Leighton) rose, he (Mr. Childers) had not anticipated that the Army Reserve would be mentioned in connection with vagrancy, and, consequently, was not prepared with any statistics on the subject. He might say, however, that although the Unions generally were by no means backward in complaining of matters of this kind, yet he had been able to ascertain that neither the War Office nor the Local Government Board had received any complaints from them as to Army Reserve men becoming vagrants; unless, possibly, the latter Department had heard from the Union of the district with which the hon. Baronet (Sir Baldwyn Leighton) was connected; and the information at the disposal of the Government did not, therefore, support the suggestion of the hon. Baronet that the evil was one which occasioned any very great public interest. Speaking of a particular Union, the hon. Baronet said that one-fifth of the vagrants were men who had been in the Army, and of these one-fourth were from the Army Reserve, the argument being that the Army Reserve contributed one-twentieth of the total number of vagrants. If so, on the hon. Baronet's own figures, the Army Reserve contributed a smaller percentage by far than old pensioners, the latter numbering some 80,000. There was, in fact, no evidence to show that of the Army Reserve men—the short-service men—any large proportion fell into penury. The question was tested on the last occasion, when a certain number of Army Reserve men were invited to return to the Colours. When that step was taken various results were predicted; on the one hand, that the number of those who would be glad to return would be very large; on the other, that the men, as a rule, were in good employment, which few of them would be willing to quit. The event showed the correctness of this latter view, as only 900 men returned; and of these he had reason to know that a large proportion did come from employments in which they were receiving good wages, and only a small number came back to the Colours because they were in distress. Therefore, bearing these facts in mind, and in the absence of complaints from the Unions, he did not believe that the increase of the number of vagrants was at all due to the establishment of the Army Reserve. He was bound to say, also, that it was not in harmony with experience that military work demoralized or de-industrialized—to use the hon. Baronet's word — the men. Indeed, if this question of vagrancy was the hon. Baronet's sole objection to the short-service system, it was a very small one. Under the old system they could not get enough men, while under the new system they were getting a very satisfactory number of recruits.

Sir HENRY FLETCHER said, he wished to make a few remarks in reference to what had been said by the right hon. Gentleman the Secretary of State for War. He did not pretend to enter into the question of the comparative merits of long and short service in the Army; but the right hon. Gentleman knew that it was a question upon which he (Sir Henry Fletcher) did not agree with him. In the few words he had to say, he wished to speak, not as an old soldier, but as a Chairman of a Board of Guardians of many years' experience. Gentlemen filling such positions had greater knowledge of facts connected with vagrancy than ever reached the War Office. How, indeed, should that knowledge reach the War Office? These tramps and vagrants only came into the workhouse for one night; they received their bed and their breakfast, and for this they were required to do a certain amount of work. He could not agree with the right hon. Gentleman, as he knew that there were a large proportion of short-service men who did take advantage of workhouses in this way, and tramp about as his hon. Friend near him (Sir Baldwyn Leighton) described. He never said anything in the House that he was not able to prove, and on subjects with which he was not fully acquainted; but he could say most distinctly that for some years past he had had occasion to pay attention to this vagrancy system, and he knew it to be the curse of England. He could prove that since the institution of the short-service system vagrancy had increased. He had, in his own Union in the county of Sussex, taken pains to ascertain the number of tramps who had been short-service men, and he was sure that his hon. Friend had under-estimated rather than exaggerated the number. The Secretary of State for War said that with the short-service system there was no inducement for men to be out of work; but, with all respect, the contrary proposition could not be denied. Without going into the general question of short service, he might briefly state that what happened was this. A man enlisted as a soldier at the age of 18 or 19, he served for a period which up to now had been seven years, and at the end of that time he received his discharge and returned to his village, his town, or his parish. He went to his old master, and asked to come back to his former employment; but the master replied—"I have filled up the place, and I have nothing more for you to do." The man, during his soldier life with the Colours, had contracted a restless mode of life, and, finding he could not get employment in his own parish, he started off and wandered over the country, living a restless, unprofitable existence. In the Southern shires there was a regular track for these vagrants, which they followed week after week, and month after month. Starting from London, they went down to the South-Eastern part of England, to Dover, say. They walked along to Brighton and Southampton, and so passed along to Plymouth and into Wales. They went by the Southernmost road, and they returned by a road a little further inland. Day after day, week after week, he had seen these men tramping along the roads, being nothing but a nuisance to the labouring classes, whom they jeered at as they passed and chaffed them, asking why should they work when bed and board could be had for nothing? The bread ticket system had been mentioned, and this they had tried in West Sussex, the Dorsetshire system, as it was called, and the result had been an utter failure. For two years it was tried; but it was found that the men got more bread than they could eat from charitable persons, and they had been seen to go into public-houses and exchange bread for tobacco and beer. It was found impossible to continue the bread ticket system after a trial of two years. Another matter had been alluded to by the hon. Member for Stafford (Mr. Salt), which was keeping the vagrants longer at the workhouse. That he could not approve of. He had tried it in his own workhouse, keeping them from the Saturday until the Monday; but the men who were thus detained amused themselves all Sunday in their cells by ringing the bells for the porter and assistant porter, and remained in their cells laughing at the workhouse authority. It was now for the Local Government Board to suggest some means of suppressing vagrancy. Magistrates and Guardians had tried all in their power, but without success. During the 11 years he had been Chairman, various systems of work had been tried for these men—oakum-picking, stone-breaking, and there was one thing that the men did not like at all, and which might be recommended to other Guardians as a deterrent, and that was stone pounding—pounding stone into minute particles by means of an iron hammer, 60lbs. or 65 lbs. being required of a man before he left the workhouse. There was another deterrent which, however, had not received the sanction of the Local Government Board, and that was the crank-pump. The tramps did not like that at all. He (Sir Henry Fletcher) thought that anything of that description that possibly could be ought to be imposed on the tramp, who was a worthless fellow, a perfect nuisance, and a pest. When not engaged in his Parliamentary duties, he (Sir Henry Fletcher) was, as a rule, in daily communication with the authorities at the workhouse in his district. Every day he saw tramps on the road; indeed, he could not go out of his house without meeting gangs of them, and he knew how the poor cottagers by the roadside suffered from them. These men went to the door, under pretence of asking for a glass of water or a piece of bread; but, in reality, they intimidated the poor women to such an extent that, being in constant danger of their lives, the tramps were absolutely a perfect misery to them. In his division of the county they had Petty Sessions once a fortnight; but there was hardly a week passed in which he was not called upon by the police to go across to the Petty Sessional town to dispose of these cases. The magistrates, too, used their best endeavours in trying to put down the evil by giving a uniform system of punishment. They had been asked for and supplied policemen for additional service at the most frequented places; but the system of vagrancy had assumed such enormous proportions during the last few years that it was evident, unless the authorities or Government interposed, the people would continue to suffer still more than they did now from their visits. He did not wish to put forward any measure or suggestion; but he most earnestly asked the right hon. Gentleman at the head of the Local Government Board to give the matter his best and most earnest attention, in order that this vagrancy, which was neither more nor less than a curse and a disgrace to the community, should be diminished and repressed.

Mr. DODSON said, he could assure the hon. and gallant Baronet opposite (Sir Henry Fletcher) that the officers of the Local Government Board, including himself, were deeply sensible of the evils of vagrancy, and were sincerely desirous of putting as much restriction as possible upon those evils. There could be no doubt that during a period of some years, and particularly between the years 1875 to 1880, the mischief of vagrancy had been on the increase; but that increase had, he believed, been felt more in particular localities than in the country as a whole, and it must not be assumed that because some districts suffered very much from it that there was a serious increase in this mischief all over the country. The hon. Baronet the Member for South Shropshire (Sir Baldwyn Leighton) attributed that increase to three causes—namely, the depression in trade, the short-service system, and the non-industrial education of boys in modern times. He (Mr. Dodson) was of opinion that the second of those allegations was not sustained. He would remind the hon. Baronet that there was no record kept at the workhouses as to the calling of those that received relief; and, therefore, there was no proof that they were short-service men. This branch of the question, however, had been dealt with exhaustively by his right hon. Friend the Secretary of State for War (Mr. Childers); notwithstanding that, he (Mr. Dodson) might say that he had received a record from a gentleman connected with the county of Northumberland, which was confirmatory of the opinion of his right hon. Friend, and which would give some indication as to the short-service men. This gentleman had ascertained that in the course of one week 61 men came to the workhouses in Northumberland who had served in the Army. Of these 50 had served seven years and more, and only 11 had served less than seven; and, judging from the ages of the men, it would appear that not more than three or four were short-service men. That gave some idea as to the number of short-service men relieved.

SIR HENRY FLETCHER said, that they might have served seven years, and still be short-service men.

MR. DODSON said, that was so now; but, at all events, of the 61, not less than 50 had served more than seven years. As regarded the non-industrial education of the boys of the present day, that was an allegation somewhat difficult to prove. It proceeded upon a theory he thought they would not undertake to discuss. If he were asked to assign the causes accounting for the increase of vagrancy, such as it had been in recent years, he should say, first, the depression in trade to which the hon. Baronet had alluded. It was a fact that the years between 1875 and 1880 were the years when depression of trade was greatest, and vagrancy correspondingly increased, while the years of improvement corresponded with the years of diminished vagrancy. In 1881 there was a diminution as compared with 1880; and he was glad to say that, in 1882, so far as it had gone, there was again a diminution as compared with the previous year. The second cause which added to the recorded number of vagrants was the increased accommodation through the multiplication of wards in the workhouses, which had drawn to them a number of men, who would, perhaps, have gone to lodgings or have slept under a hedge. In this way the Act passed by the right hon. Gentleman the Member for Ripon (Mr. Goschen) had tended to swell the Returns. A third cause was the growth of population. Again, the total number often given was a fallacious one; and, with reference to this point, hon. Members must bear in mind that the workhouse records gave the number of cases relieved, and not the actual number of vagrants in the country. Of course, if there were 100 more vagrants this year than last, and they each visited 100 workhouses, that would make a nominal increase of 10,000.

SIR BALDWYN LEIGHTON said, that the figures he had quoted showed no decrease in the last year, but a steady increase.

MR. DODSON said, he was not disputing the hon. Baronet's figures. He merely gave that instance to show how easily a miscalculation had often been made. He would then give them a few statistics. In 1879 the mean number relieved in the wards was 5,567; in 1880, 6,194; and in 1881, 5,912. On the 1st of January of those years the numbers were 5,347, 5,848, and 5,466 respectively. That showed that the tide had turned, and he hoped that it would continue to ebb so. He should like to go back to a former period, in order to ascertain whether vagrancy was permanently and continuously on the increase. Up to 1868, the Home Office used to have the number of vagrants showed among other criminal statistics in the Police Returns. They gave the total number of vagrants known to the police; and, in 1868, the number of vagrants known to the police was 36,000; and the vagrants relieved by the Guardians on the 1st of January, 1868, were, in rough numbers, 6,000. The number relieved on the 1st January, 1882, was, as he had stated, 5,466. The mean number of vagrants "in and out" on 1st January, 1868, was 6,129, and on 1st January, 1881, 6,338, showing an increase of vagrants relieved in and out of the workhouses of only 209. It amounted to this—that the total number of vagrants relieved by Guardians, notwithstanding the increase of population, was not now greater than in 1868. It must be borne in mind that, owing to the fluctuations of particular trades at particular times, there were in particular localities more vagrants than at other times. Therefore, we must not lay too much stress on our own experience of a particular neighbourhood or a particular time. If we wished to have a correct impression as to the progress or otherwise of vagrancy, we must look at the matter as a whole. Some remedies had been suggested to obviate this increase; and amongst them were bread-tickets, stricter treatment, longer detention, crank labour, and other correctives of that kind. These remedies were all under the consideration of the Local Government Board. Communications on the subject had also been addressed by various Unions to the Local Government Board, who had paid the greatest attention to them. He would not enter into a discussion of the plans which might be devised for a better management of vagrants, because in a day or two there would be discussed a Bill which had been brought into the House by an hon. Gentleman who had very great experience upon these matters. On the second reading of that Bill there would be a legitimate opportunity for discussing the remedies suggested on the subject.

Mr. J. G. TALBOT said, that, with reference to the closing remark of the right hon. Gentleman opposite (Mr. Dodson), he hoped the subject would receive the attention it deserved when the Motion with reference to it was brought forward on Wednesday next. In his (Mr. J. G. Talbot's) capacity as Chairman of the Vagrancy Committee in the county of Kent, it had been his duty to watch the alarming increase of this great evil. It was not only an evil, in so far as it was a disgrace to the community that a large number of persons should be wandering about without visible means of support; but it was also an evil because vagrants were usually persons who preyed in some way upon society. It might be that the distinction drawn by the hon. Member for Stafford (Mr. Salt) between good vagrants and bad vagrants was correct; but he could not help thinking that poor persons who were really anxious to obtain work would not, in any great numbers, find their way to the casual wards of workhouses. At least one-half of the vagrants frequenting the casual wards belonged to the criminal or the semi-criminal population. The best plan was to divide vagrants into the two categories of paupers and criminals. So far as vagrants really deserved the assistance of the State, he thought that they ought to be treated like other paupers. That was the principle which the hon. Member for South Leicestershire (Mr. Pell) had developed in his Bill. He thought they had made a mistake in the treatment of vagrants. They had at once been too stern and too indulgent, for too much indulgence had been shown to these people, because they were allowed to receive gratis board, lodging, and necessary clothing; but, on the other hand, a want of feeling was shown towards them, because they were kept by themselves and treated differently from other paupers. Moreover, there was no attempt to bring them under humanizing influences, for no Chaplain or Board of Guardians ever came near them. That exceptional severity should be removed, and they should receive the same treatment as other paupers. Then, again, if they were not criminals in act, or not detected criminals, they were often criminals in will, ready to lay their hands upon anything that might come in their way. They were persons from whom a great deal of the crime of the country proceeded; and, when convicted of begging, it had been found by experience that their imprisonment had a striking effect upon the class. Magistrates were often too lax in their treatment of them; they should put in power the force which the law gave them. He was glad to hear from his right hon. Friend the President of the Local Government Board that there had been a diminution of the number of vagrants this year; but that was probably due to the exceptionally mild winter. He was struck by the remarkable circumstance stated by the right hon. Gentleman that on a given day there were 36,000 vagrants known to the police, whilst on the same day there were only 5,000 or 6,000 in the casual wards. Those were the people who received encouragement through the lax administration of the law. If the present Motion led to a more stringent administration, his hon. Friend the Member for South Shropshire (Sir Baldwyn Leighton) would have not laboured in vain. He had also done no little service to the country by having drawn attention to the mode in which the Army short-service system had been abused. He hoped the House would arrive at the conclusion that this was a subject which deserved the serious attention of Parliament and of the country. No slight amount of evil arose from people living a life of idleness, and preying on the earnings won by others in honest toil.

PATENT MEDICINES.—OBSERVATIONS.

Mr. WARTON, who had the following Notice upon the Paper:—

> "To call attention to the subject of the sale of Patent Medicines; and to move, That it is desirable that restrictions should be placed on the sale of Patent Medicines of a poisonous character,"

said, that, before entering upon the subject, he desired to mention that when the *clôture* debate was resumed—if it ever should be—and the noble Marquess the Secretary of State for India (the Marquess of Hartington) was in his place, he intended to refer to a statement made by the noble Marquess to the effect that he (Mr. Warton) was one of four Members of the House who had made the *clôture* necessary. With regard to the subject of patent medicines, the word "patent" arose, as the House was probably aware, from the fact that in ancient times letters "patent"—that was, open letters—were granted to certain persons with the monopoly of vending certain articles. He believed the earliest patent medicine on record was Dr. Stoughton's Stomachic Elixir, though he could not inform the House what the ingredients were. Abuses having arisen through the granting of these monopolies, Parliament soon interposed with restrictions. The patents were limited to a certain term of years, and a specification or definition of their character was also required. Those specifications were often of a very vague description; and the inventors of those medicines found that they could do better without a patent than with one. An Act of the 52nd of George III. was passed on that subject. It was provided that inventors of those medicines should no longer be obliged to take out patents, but that they should be required to pay Stamp Duties. Every kind of appeal was made; there were English pills and Scotch pills, pills with grand Latin names, and pills with grand Greek names, in order to impress the mind of the vulgar with the good of these patent medicines. All this showed how these quacks were in the habit of giving their nostrums the most high-sounding and *quasi*-classical names, the better to impose upon the public. The first point to which he wished to direct the attention of the Government was that a good deal of quackery was promoted by the Government stamp now levied on these medicines, the price of which was often advertised as 1*s*. 1½*d*. with the Government stamp. An apparent sanction, which he strongly disapproved, was thus given by the Government to these medicines; and he suggested that, if the Chancellor of the Exchequer still thought fit to levy those duties, there ought, at least, to be some restriction placed on the use of the words on the label which referred to the Government stamp. Words to this effect might be used—"This duty is levied for fiscal purposes, and there is no Government guarantee of the goodness of the medicine." The Government, he held, ought not to be supposed to profit from the evil which resulted to the public through the sale of those medicines. The next point which he urged was that, at present, although restrictions were placed by the Pharmacy Act of 1868 on the sale of poisons, properly so called, and although no one, unless he were a medical man, could get certain poisons without very great difficulty, yet it was open to any patent medicine vendor to sell those medicines, although they might contain any quantity of poison. The 16th section of the Pharmacy Act seemed to reserve the rights of persons making or dealing in patent medicines. He wished to see vested interests properly respected; but they ought to be jealous of vested interests affecting the public health, and he wondered how it was that the quack medicine interest was so strong in 1868 as to obtain the insertion in the Act of that year of words of special exemption in its favour. The 17th section, no doubt, said that it should be unlawful to sell any poison, wholesale or retail, unless the bottle or packet containing it was distinctly labelled "poison;" but he doubted whether those words overrode the special exemption in the 16th clause as to patent medicines. In illustration of this anomaly, he would call the attention of the House to a case which occurred in the High Street, Kensington, in January last, in which a chemist was charged with selling a bottle of Hunter's Solution of Chloral without attaching a label bearing the word "poison" to the bottle. He referred to that case to show what amount of poison there might be in a patent medicine. Counsel explained that the solution contained 264 grains in a large bottle and 88 grains in a small bottle; it was undoubtedly a poison, and 30 grains of it might prove fatal. He merely mentioned this to show what a terrible thing it was to have poison sold in this way. Chlorodyne, again, was one of the quack medicines most frequently sold, and was a most dangerous compound. A case had also occurred of a lady in the West of England who had been in the habit of taking this dreadful remedy, and who had obtained, unknown to her husband, between the 19th of October and the 8th of November, above £3 worth of chlorodyne, and she had so injured her brain and nervous system that she was now the inmate of a lunatic asylum. It was well known, also, that the manner of advertising patent medicines produced a world of harm, because when persons were ill they took something, and after they had taken something, if they did not die, they recovered, and advertised their recovery as the result of taking the medicine. An unfortunate Norfolk clergyman, with whom he (Mr. Warton) was acquainted, had taken some patent medicine, and, on the principle of *post hoc propter hoc*, had written a letter to the vendor attributing his recovery to the patent medicine, and said he would be glad to answer any inquiries. In the first week after the vendor published the letter the clergyman received 800 letters; and, as he was a man of his word, he answered them all, the stamps, paper, and envelopes, almost amounting to his small income. That showed what a hold these medicines had upon the public; and it also proved how many fools there were in the world, and the necessity of something being done in the direction he had indicated. Every trifling incident was turned into an advertisement, even such an incident as a traveller giving a pill to an Arab Chief. The advertisers appealed to the Government stamp, and the public thought that was a guarantee. Why should it not be made obligatory to state that the stamp did not involve any guarantee? And when the patent medicines contained poisons, why should not the vendors be compelled to state the fact, just as much as when they sold poisons by themselves? The sale of coffee adulterated with chicory was a trifling matter compared with the sale of medicines containing poison. He hoped he should be forgiven for having occupied 26 minutes in bringing forward this interesting and important subject.

DR. FARQUHARSON said, he must congratulate the hon. and learned Member for Bridport (Mr. Warton) on the fact that this Motion, which had been hanging over their heads so long, had at length been brought freely and openly before the House; and he would, at the same time, acknowledge that the hon. and learned Gentleman had rendered good service by bringing it forward. It had attracted a good deal of attention in medical circles, because there was no doubt there had been a great deal of looseness in the sale of poisons through these patent medicines; and many deplorable results, ending in death, had taken place from poisons having been freely taken under the name of patent medicines. It was quite true that under the 16th section of the Pharmacy Act, patent medicines were excluded from the operation of that Act; but in Section 17 it was necessary to label everything containing poison. This provision, however, had been very much neglected in the case of patent medicines, because the popular impression was that under Section 16 these medicines were still exempt. Chlorodyne contained four or five virulent poisons, though several were antagonistic, and neutralized the other. Hunter's Solution of Chloral contained a very strong dose of chloral indeed; but perhaps one of the most dangerous of all, from which many painful cases had resulted, was Kaye's Compound Essence of Linseed, which was labelled as a marvellous cure for coughs, colds, and asthma. It contained a large quantity of morphia, and there was not the slightest indication that any poisonous substance was contained it. Only the other day a serious case of poisoning occurred to a child, by taking this remedy, which bore the Government stamp, and which could be sold by anyone who had a 5*s*. licence. Any grocer, bookseller, or co-operative store who sold these drugs lost nothing in reputation if a fatal case occurred, whereas a chemist lost very largely indeed. To illustrate the absurdity of this, he stated that the Pharmacopœal Society's Solution of Chloral could not be sold except by a registered chemist; but Mr. Hunter put a patent medicine stamp upon his solution, which was double the strength of the other, and it was sold with impunity by grocers, stationers, and co-operative stores. At one of those stores a Yorkshire lady had obtained a chloral prescription, which the local chemists had refused to make up, with the result that a few days afterwards she was found dead in bed. It was a question whether it might not be well to do away with patent medicine licences altogether; but he would not dwell upon the question further, as he knew the subject had been recently undergoing the careful consideration of the Legislature, and he was sure it might be safely left in the hands of the experienced officials at the Home Office.

MR. HIBBERT said, he was also glad the question had been at last brought to maturity; and though the hon. and learned Member for Bridport (Mr. Warton) had rather been open to ridicule in consequence of the Motion being upon the Notice Paper so long, he must say that the hon. and learned Gentleman had shown that there was more in the question than many people imagined. The principal point to which he had drawn attention was one worthy of the attention of the Government. There was no doubt the practice complained of came into vogue as one of the many means of raising money when they wanted money to carry on the French War, and he believed it had continued from that time to the present. He was not prepared, however, to give a decided opinion as to whether it was desirable to continue the present system, still he must say it was a question well worthy of consideration of the Government whether they should continue to allow medicines over which they had no control, and had no means of ascertaining what the ingredients were, to be sold with the Government stamp upon them, and thus appear to give a guarantee that the ingredients were fit and suitable for public use. The hon. and learned Member had done good service in pressing that point; and if the labels were to be continued, he should be glad, personally, if something could be added to show that there was no guarantee, and that the duty represented by the stamp was imposed purely for fiscal purposes. He should also like to see the question carried still further, for he was doubtful whether it was right to allow mixtures of this kind, containing poisons, to be sold as medicines, without being labelled in the same way as poisons were required to be labelled, so as to indicate, at least, the extent to which they were poisonous. Upon these two points he was quite in sympathy with the speech of his hon. and learned Friend opposite. He could not, however, make any promise as to what the Government would do, and could only express a hope that the matter would be fully considered by them, and that some better system would be adopted than that which was now in force.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—ARMY ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1.) £53,800, Divine Service.

(2.) £37,200, Administration of Military Law.

MR. ARTHUR O'CONNOR said, he would like to ask the right hon. Gentleman the Secretary of State for War whether he had not received any representations from certain military prisons, or from the medical officers attached to them, respecting the evil effects of oakum picking, to which the soldiers were subjected; and also whether, in one prison, the roof was so bad that the rain came through?

MR. CHILDERS said, the military prison referred to was being repaired. He had not received any complaints regarding oakum picking; but he would inquire into the matter.

MR. ARTHUR O'CONNOR said, that, on the last occasion that the Estimates were before them, he referred to a matter which was of some interest, and in regard to which the right hon. Gentleman the Secretary of State for War did not vouchsafe an answer—he meant the difference in the Estimates with regard to Appropriations in Aid and Exchequer Extra Receipts. In former years Exchequer Extra Receipts were paid into the Exchequer; but hereafter they would be appropriated in aid of the Vote. The Committee would understand the difference in the Estimate if he instanced a round sum, say £100. In former years, if a Vote was for £100, and the Exchequer Extra Receipts were expected to amount to £5, the £5 was paid into the Exchequer, and the Vote was limited to the £100. If more than £5 was realized, the larger sum so realized, whatever it might be, was also paid into the Exchequer; but, under the present system, if the amount realized by Exchequer Extra Receipts should exceed the Estimate in the first instance, the amount placed at the disposal of the Department would be greater than was sanctioned by Parliament. If on an examination of the accounts it was found that the money had gone, it could not be refunded. What he had stated as a possible case—namely, an excess over the anticipated receipts, was very likely to turn out, in point of fact, the rule, because, in almost every year, the amount realized by Exchequer Receipts was very much greater than was at first anticipated. For instance, the Appropriation Account for 1880-1 showed that the Appropriation in Aid exceeded the

Estimates by £113,000. The Appropriation Account for the year previous—namely, 1879-80, showed that the Appropriations in Aid brought in £189,000 in excess of the Estimates. In 1878-9 the Appropriations in Aid realized £271,495 more than they were estimated to bring in. He believed it was proposed to extend the system. At present the consent of the Treasury was required to appropriate, in aid of the Vote which had been exceeded, any surplus which there might be; but hereafter it would not be necessary for the Department to apply to the Treasury for its consent to appropriate to the Vote a very much larger sum than was submitted to Parliament in the first instance. Well, of course, that arrangement would suit the Department very well, because it placed at its disposal a larger sum than Parliament voted; but it did not suit their established ideas with regard to the check Parliament ought to have on Departmental expenditure. One of the results of the alteration was that the Department would be tempted to under-estimate, and the temptation was one which it would be very difficult to resist. The Department would be tempted to under-estimate the amount realizable under Exchequer Extra Receipts, and, by thus under-estimating, it would certainly have at its disposal very much larger sums than it represented to Parliament would be necessary. Then, again, there would be a danger if the Department would anticipate its possible receipts by getting rid of the stores before the date which, under other circumstances, it would sell them. He did not think the Committee ought to consent to the change of system until it was assured that some steps would be taken to guard against the material being reduced in order to increase the available cash. He might mention the fact that in one of the Military Yards it was discovered that £6,000 worth of coal had been lying there for a long time, and had not been included in the stock-taking. If the new system was good for the Army and the Navy he supposed it would be also good for the Civil Service; but, as a matter of fact, it was not applied to the Civil Service, and the Government had not explained to them why they proposed to adopt one system to one class of Estimates and another system to another class of Estimates.

MR. CHILDERS said, he thought that the new system would be found most advantageous. As the hon. Member had correctly explained, the extra receipts would be taken in aid of the Votes, so that the Votes would be very much less under certain heads than they were under the former system, and he ventured to believe that greater economy would be pursued. The subject had been well considered, not only by the Government and the Auditor General, but by the Committee on Public Accounts; and it had been arranged that when the extra receipts on any particular Vote exceeded the estimated extra receipts, the excess should be paid into the Exchequer. He thought the system would be found to work satisfactorily.

SIR WALTER B. BARTTELOT said, there were every year a large number of fraudulent enlistments which had never been found out. That was one of the serious offences which he had often mentioned in the House. He had pressed very strongly upon the right hon. Gentleman the necessity for taking some steps to prevent it. They knew perfectly well that marking in any shape was very repugnant to the feelings of many people; but he hoped the right hon. Gentleman would consider whether it ought not to be resorted to in the case of a crime which was so detrimental to the interests of the Army.

MR. CHILDERS said, he believed that the steps now being taken would do much to prevent fraudulent enlistment. They must look to the improved character of the soldier and to his good treatment as additional safeguards against fraud in this respect. Already there was a diminution in the number of fraudulent enlistments.

MR. ARTHUR O'CONNOR said, the right hon. Gentleman would find, on reference to the Report of the Inspector General of Military Prisons, that there was a most extraordinary discrepancy in the rates of mortality among the prisoners. In Limerick, for instance, the death rate was 4·08; in Dublin it was 8·09; in Millbank it was 11·03; in Cork it was 16·09; in Glencorse it was 18·00; and in Gosport it rose to 23·09, or five times higher than that in the Limerick Prison. When they came to inquire into the case of Gosport, they found that the conveniences and the arrangements were very different to those in other military prisons. The medical officer had suggested that the low temperature of the cells during winter was conducive to illness, and that the punishment awarded to military prisoners was not judicious. He (Mr. A. O'Connor) hoped the right hon. Gentleman would consider whether oakum picking could not be abolished.

Mr. CHILDERS said, they were adopting the system of centralization with respect to military prisoners, and he hoped they would be able to avoid complaint in future.

Colonel COLTHURST said, it was the practice in military prisons to accept contracts from outsiders when any work was required to be done. He could not see why the work could not be done by the prisoners themselves.

Mr. CHILDERS said, he thought it would be better to employ the prisoners, where possible, in preference to contracts. He would look into the matter.

Vote *agreed to.*

(3.) £300,800, Medical Establishment.

Dr. FARQUHARSON asked whether it was not in contemplation to abolish the useless office of Governor and Commandant of Netley Hospital, and thereby relieve the Army Medical Department of a long-standing grievance? The existence of the office had long been the cause of a great deal of friction and discontent, and he hoped the right hon. Gentleman would see his way to its abolition.

Sir ROBERT LOYD LINDSAY said he wished to make a remark or two in reference to the Army Hospital Corps. He was afraid that the Army Hospital Corps was not working as satisfactorily as they could desire. Last year he expressed some doubts whether this branch of the Service would work satistorily; and he asked his right hon. Friend to consider whether it would not be possible, although in the main he approved of the short-service system in regard to other branches of the Service, to adopt a different principle in regard to this Corps. He had felt it his duty to suggest certain doubts, and he must say that those doubts were still strongly impressed upon his mind. The duties which were required from the Army Hospital Corps were of so peculiar a character that he thought they took this branch of the Service out of the character which applied to other branches of the Army. He also, he thought, made a remark upon the fact that the Army Hospital Corps were now under the command of medical officers, instead of being under the command of their own officers; and he was afraid that that system was not working quite as satisfactorily as it had been hoped it would. He held in his hands letters of a confidential nature, which contained the most serious charges against the members of the Army Hospital Corps in connection with the recent war in South Africa. They charged upon these men the most tyrannical behaviour, and accused them of the most absolute indifference to the care of the sick intrusted to them, and the charges were substantiated by evidence in regard to the perfectly genuine character of which he could not for a moment entertain a doubt. He wished to put a question to his right hon. Friend in regard to this matter, and to ask him if he was in possession of the Report of an inquiry instituted by General Leicester Smyth, commanding at Natal, into the conduct of the Army Hospital Corps while serving in the field? If he was, he (Sir Robert Loyd Lindsay) would ask him to lay it before the House and to look into the question. He would not ask him to lay it before the House, but would ask him to inquire into the nature of the charges which had been brought against the Army Hospital Corps; and he was quite satisfied, if the right hon. Gentleman had the matter brought under his notice, that he would take proper steps for remedying the evils complained of. He would suggest to his right hon. Friend that a larger number of female nurses should be employed, both in the hospitals at home and abroad. He was quite aware that lady nurses were not popular with medical men; that they were sometimes difficult to manage, and that it was said they were quarrelsome. He was speaking of female nurses who were ladies in social position. He thought they always ought to be ladies; and although the employment of female nurses occupying that position were not popular with the medical officers, it should, nevertheless, be remembered that their sympathies were always on the right side. They were always with the poor, weak, and sick soldier; and although there might be certain disadvantages in employing them, yet, on a full consideration of the case, he felt quite satisfied that those disadvantages were more than compensated by the great advantages which would be gained by the soldier in having a larger number of female nurses employed both at home and abroad. As his right hon. Friend knew, the National Aid Society was quite willing to place itself in cooperation with the War Office in the training of nurses, and there still remained a large surplus of the fund raised during the Franco-German War. A large portion of that surplus income was being devoted to the training of nurses, and this year the Society would be able to send out nurses who had been thoroughly trained at Woolwich and other hospitals, many of them having had three years' complete training. These nurses were all available, and could be utilized in the military hospitals if it were the pleasure of his right hon. Friend the Secretary of State for War so to determine. He believed that their employment would be greatly to the advantage of the soldier, and he hoped the subject would receive the attention of his right hon. Friend.

SIR HENRY FLETCHER said, he would not press for an answer at the present moment; but he should like, before the Army Estimates were disposed of, to be informed whether it was not possible to place the captains and lieutenants of the Army Hospital Corps on a footing of equality in reference to increase of pay?

MR. CHILDERS said, he would answer first the question which had been put to him by the hon. Member sitting behind him (Dr. Farquharson). The hon. Gentleman had correctly stated what he (Mr. Childers) had done at the Admiralty as to the management of naval hospitals. Netley, however, was not only a hospital, but a depôt for time-expired men from abroad, and the arrangements as to the latter were under consideration. He did not think the Committee would expect him to say more at present. In regard to the charges against the Army Hospital Corps, referred to by his hon. and gallant Friend opposite (Sir Robert Loyd Lindsay), he was aware of the inquiry conducted by General Leicester Smyth in South Africa; but it had not yet been brought formally under his notice. He (Mr. Childers) was sorry to say that he had received complaints as to the state of the Medical Department during the last few months of the South African War, which, as far as they went, were *primâ facie* evidence of a state of things not entirely satisfactory. But he had purposely abstained from taking any steps in the matter until the new Director General—Dr. Crauford—was thoroughly in his seat, and able to deal with the question. That officer, whose ability was well known, would, no doubt, act with decision in the matter. It was his (Mr. Childers's) intention to consult Dr. Crauford, both in respect to what had actually taken place in South Africa, and also as to the manner in which the evidence from South Africa bore upon the general question of the arrangements of the Army Hospital Corps, especially in reference to the points to which his hon. and gallant Friend had alluded, and the services of the persons who had been employed. He did not think that any evidence pointed at present to a reversal of the arrangements for which his right hon. and gallant Friend opposite (Colonel Stanley) was responsible; but if the result of fuller investigation satisfied him that a change was necessary, he should be prepared, after consultation with the Commander-in-Chief, to carry it out. He entirely concurred with what his hon. and gallant Friend had said as to the valuable services rendered by female nurses; but while he admitted the extremely valuable assistance rendered by lady nurses, there might be circumstances under which the arrangements for nurses in field hospitals were not always so easily carried out as they would be in the case of stationary hospitals, where the duties of the doctors and their subordinates were clearly defined and well known. Even there, however, where the respective duties were well known, it was sometimes difficult to adjust those of the medical officers and the nurses. He need only refer to the controversies which had recently raged in reference to hospital management in London; and if such difficulties arose in connection with the hospitals of a great town, they were likely to be much greater in the case of military hospitals in the field. The subject was one full of interest, and his own mind was thoroughly impartial on the question.

Vote *agreed to.*

(4.) Motion made, and Question proposed,

"That a sum, not exceeding £492,000, be granted to Her Majesty, to defray the Charge for the Pay and Allowances of a Force of Militia, not exceeding 138,274, including 28,000 Militia Reserve, which will come in course of payment during the year ending on the 31st day of March 1883."

EARL PERCY said, the first point he wished to call the attention of the Committee to, in connection with this Vote, was a question upon which he had already been in correspondence with the right hon. Gentleman opposite (Mr. Childers)—namely, the Order which was issued last year with regard to retired Militia officers, and the decision not to give them a step in honorary rank. Returns had been laid on the Table of the House showing the number of Militia officers who had been compulsorily retired according to the Order to which he referred. Under the old system it was the rule that Captains of Militia—and it was of the Captains that he specially wished to speak—were retired at the age of 60, unless they were specially recommended by their commanding officers for an extension of service. It was, therefore, with some surprise that Militia officers saw an Order suddenly issued from the War Office making it compulsory upon them to retire at the age of 50, without permitting them to obtain a step of honorary rank unless they had served for 20 years. Under the old Regulations these officers had every prospect of being allowed to serve for two or three or four years, in order to complete the 20 years necessary to enable them to secure honorary rank. By this compulsory retirement they were absolutely deprived of that privilege. They were sometimes told that when this sort of case was brought to the notice of the Government they would involve too large a disturbance of the existing system to be entertained. He therefore desired to point out to the Committee that the only officers who were affected by the new Regulation would be six Captains and perhaps some six Majors. It was, however, to the Captains that he specially wished to refer, because he did not think that the Majors would be retired under the same disadvantageous circumstances. Six Captains of Militia would be entirely deprived of what they were otherwise entitled to have; and he wished to ask the right hon. Gentleman the Secretary of State for War to inform the Committee what was the reason why the War Office could not extend to these six gentlemen the rank and privileges they wished to obtain? In some cases the Order would work with extreme harshness. In one instance, in connection with the 3rd Battalion of the Yorkshire Regiment, the total service of the Captain had been 19 years and nine months, so that he would only have lost his right of obtaining honorary rank by three months. In another case the officer had served 18 years and six months, and in another 18 years and eight months. These Captains would undoubtedly, but for the new Regulation, have acquired their honorary rank; and he could not understand why the War Office should refuse to consent to the proposal he had had the honour to bring forward, giving them the small boon they asked for. He did not wish to trouble the Committee by going into the policy of the retirement of these officers. At the same time, it certainly seemed to him to be of a very doubtful character. These Militia officers, except in the contingency of a great emergency—to which he scarcely desired to look forward—were capable of rendering very efficient service, and their age would by no means unfit them for the services they were required to perform. But without having regard to the policy of the Regulation, he would ask the right hon. Gentleman the Secretary of State for War to tell the Committee why it was that the War Office refused to give the boon for which these officers asked. There was another branch of the scheme of compulsory retirement of the right hon. Gentleman to which he wished to call attention. By the same Warrant to which he had referred Lieutenant Colonels above 62 years of age were retired; but in their case an exception was made, and it was an exception in favour of those who, on the 1st of September last year, were above 60. Officers in that position were allowed to serve until they reached the age of 67; and the result would be that the next in command of a Militia regiment would, in some cases, lose the promotion which otherwise he would have every reason to expect he would obtain. He might mention the case of a Lieutenant Colonel of the 4th Battalion of the 56th Regiment, who could never become commander of the regiment, as the Colonel now commanding was 61, and before he became 67 the officer in question would have to retire under the Warrant. It was felt to be a hardship that while, on the one hand, certain officers were retired just as they were becoming entitled to a step in honorary rank, on the other, officers should be deprived of all hope of promotion by the relaxation of the rule in favour of other officers. There was one other point in regard to double battalions which he trusted the right hon. Gentleman would give some hope of receiving revision—namely, the necessity which existed of allowing an Adjutant to each battalion. In many cases only one Adjutant was allowed, and one battalion was compelled, during the non-training period, to do without the services of an officer holding that rank, being required to do duty under the command of the Colonel belonging to another regiment. Certainly the system did not tend to bring about a good understanding between the two Colonels and the Staff placed under the command of a particular Adjutant and Colonel. As the new system of bringing officers from the Army into the Militia as Adjutants, and of changing them every five years, was principally justified on the ground that it would give promotion to officers in the Regular regiments of the Line, he confessed he could not see why the principle should not be extended a little more, and each battalion be placed upon the same footing. All who were acquainted with military matters would, he thought, agree with him that the only satisfactory principle upon which double battalions could be worked was that the Lieutenant Colonel of each should be responsible for the officers of his own regiment. There was another matter to which he had often called the attention of the right hon. Gentleman the Secretary of State for War, and which he could not help referring to at the present moment—namely, the hardship which had been occasioned to Militia officers by the change of uniform. He hoped the right hon. Gentleman would be able to give the Committee some satisfactory assurance upon the subject. Personally, he must avail himself of the opportunity of protesting against giving the allowance in a most arbitrary way to some regiments, while refusing it entirely to others. He had objected altogether to the change of uniform, and he had been met by the reply that it had been done at the wish of the Militia officers. All he could say was that, from what he had heard from many parts of the country, the wish must have been expressed by officers who were in a decided minority. Whether a few might desire a change or not, the general feeling of Militia officers was very strongly against it. The right hon. Gentleman had given an allowance to the officers of certain regiments who had changed their uniforms from green to red, or from red to green; and he believed the right hon. Gentleman had also given it to officers who had changed to kilted regiments. But the right hon. Gentleman ought to remember that in the case of many other regiments the uniform was quite as expensive as in those to which the allowance had been given. For instance, in the Artillery regiments it was notorious that the uniform was quite as expensive as the uniform in any other branch of the Service. He was informed that a Captain of Artillery could not make the change under an outlay of £40. Certainly that was the case in the Militia regiment he had the honour to command. It had been changed from a light Infantry regiment into a Fusilier regiment, and the officers had been compelled to change everything except the mere cloth which composed the tunic. They had changed their lace, their facings, their horse furniture, and, besides that, they had changed their head dress from the ordinary helmet to the Fusilier bearskin, a most expensive kind of head dress. Uniforms did not wear out all at once, and it was a hardship to call upon officers to make the sweeping changes he had alluded to without receiving an allowance for the heavy additional cost thrown upon them. He thought it was a very serious grievance, and one which he knew had had the effect of inducing more than one officer to leave the Militia. At any rate, it was one which was certainly not calculated to make the Service popular. A change had lately been made in the recruiting of the Militia, and he should like to hear from the right hon. Gentleman some account of the effect it had had upon the Service. It was rather disappointing to find in the Estimates, after so much had been done to promote recruiting, that the results had not been more satisfactory. While the establishment of the Militia numbered 131,000, the number in training in 1881 was only 87,000. He must therefore say that, in view of the very serious changes which had been made during the past year in the Regulations for the recruiting of the Militia, it ought to be satisfactorily shown what grounds the Government had for hoping that this last change would be beneficial. As the period for recruiting this year had practically expired, he trusted the right hon. Gentleman would be able to tell the Committee what the result had been. No money was now paid on enrolment, as used to be the case; but the recruits were drilled at once for two months together with the Line recruits in the regimental districts, and at the end of those two months the recruit received £1 if a full month had elapsed before the date of his discharge. If he went through the full training, he received £2 instead of £1, but he got nothing upon enrolment; and if he enlisted within the period of training, so as to do his recruit drill after the training, he received nothing additional, as he did under the old Regulations. The new system was certainly a very curious one, and one which he confessed he was unable to see the reason for. He was, therefore, extremely anxious to learn whether it had answered. He was sorry to have detained the Committee at such great length; but he trusted the right hon. Gentleman would be able to give an answer to the questions he had put, because this was the only opportunity the Committee would have of learning what the views of the War Office really were.

Mr. DIXON-HARTLAND said, he hoped the right hon. Gentleman the Secretary of State for War would be able to give the Committee some assurance in regard to one of the points brought forward by the noble Lord the Member for North Northumberland (Earl Percy) —namely, in regard to the case of the Captains who had been obliged to retire from the Militia without obtaining a step of honorary rank. One of the cases instanced by the noble Lord was a case of extreme hardship—that of an officer in the West Yorkshire Regiment, who had not only completed his 20 years of service within three months, but had actually completed his 20 periods of training. He had, therefore, practically rendered all the service the country required him to render, and if he lost his honorary rank it would be solely in consequence of the accident that three months had not expired of the period that was necessary to complete 20 years' service. He hoped the right hon. Gentleman would be able to give an assurance that something would be done to prevent the extreme injustice which in the case of these officers would be perpetrated by depriving them of their claim to honorary rank.

Lord ALGERNON PERCY said, he hoped the Committee would grant him their indulgence for a few moments while he endeavoured to bring forward as shortly as possible some of the grievances which pressed upon the non-commissioned officers of the Militia. They performed the same duties as the non-commissioned officers of the Line at the Depôt; but, nevertheless, they found themselves in a much inferior position in reference to pay and allowances. The Militia Sergeant Major was subordinate in every respect to the Depôt Sergeant Major, and yet the duties performed by each were in every respect the same. They had been soldiers in the same regiment; perhaps they had served in the same battalion, and they did duty together. The Sergeant Major of Militia must originally have been a senior non-commissioned officer; and now he found himself in a subordinate position, as to pay and allowances, to a man who might have served in the same regiment with him as a private when he was a Sergeant. He thought all the officers connected with this branch of the Service would agree with him that the Sergeant Major of the regiment had great and difficult duties to perform, and that those duties were far more arduous than those of the Sergeant Major of the Brigade Depôt. But in the amount of pay there was a very marked difference between the two. The Militia Sergeant Major received 3*s.* 2*d.* per diem, with no rations, and fuel allowance the same as a private; whereas the Depôt Sergeant Major received 3*s.* 9*d.* per day, free rations, and the fuel of Staff Sergeants —equal to twice that of a private. Since July, 1881, the Depôt Sergeant Major had become a Warrant Officer, and received a pay of 5*s.* a-day, with free rations, and fuel equal to three times that of a private. The Sergeants of Militia did exactly the same duty as the Depôt Sergeants, such as guards and pickets, and drilling the recruits four hours daily all the year round—a most fatiguing and arduous duty. They were also required to clean the arms and accoutrements belonging to the Militia, and their pay was inferior to that of the Sergeants of the Line. In the Militia these non-commissioned officers received 1*s.* 9*d.* per diem, and 3*d.* a-day in lieu of rations, making a total of 2*s.* a-day; and if they were doing duty with the depôt they received 3*d.* a-day more, making 2*s.* 3*d.* per diem. The case of the single Sergeant was much worse, because he was compelled to join the Sergeants' mess. He only received the 1*s.* 9*d.* a-day and 3*d.* in lieu of rations he had just mentioned, and he had to pay 8*d.* to the mess for ration commissariat, and 6*d.* per diem for extras, leaving only a balance of 10*d.* or, if doing duty with the Brigade Depôt, 1*s.* 1*d.*; whereas the Line Sergeant received 2*s.* 4*d.* per diem as pay, and free rations and 6*d.* a-day extra, leaving 1*s.* 1*d.* Thus the Militia Sergeant was always 9*d.* a-day worse off than the Line Sergeant, who was associated with him in duty, but actually had a less amount of duty to perform. With regard to the Colour Sergeant, he also was placed in a much worse position than he was before. He was allowed to draw 6*d.* a-day during preliminary drill and training; but he now lost that sum, except during the time of actual training. He (Lord Algernon Percy) wished, also, to point out to the right hon. Gentleman the Secretary of State for War that during the whole of the year the Colour Sergeant was responsible for the accoutrements and clothing of the men quite as much as during the preliminary drill. He also lost, by the new system of drilling recruits, the free rations he was formerly allowed during the 56 days' preliminary drill, as he was now only allowed to draw them during the period of training. He trusted that the right hon. Gentleman might be in a position to inform the Committee that some steps would be taken to lessen these grievances. He would submit that these non-commissioned officers were those with whom the recruits on first joining were most brought into contact; and any discontent and dissatisfaction among them must have a bad effect upon the recruits, and a bad effect also upon the recruiting in the Militia itself.

SIR WALTER B. BARTTELOT ventured to express a hope that the right hon. Gentleman the Secretary of State for War would pay some attention to the Memorial which had been sent to him with regard to giving a step in honorary rank to the Captains of Militia who had been compulsorily retired. In one case to which reference had already been made, a Captain in the 3rd Battalion of the Yorkshire Regiment had served 19 years and nine months. Surely, when an officer had served for such a length of time, the least he could be allowed to do was to remain with the regiment three months longer, in order that he might be entitled to receive that honorary rank which these gentlemen so much prized. He trusted that the case would receive the attention of the right hon. Gentleman. He had been carefully studying the Returns, and he found that last year there were only 87,346 men in England and Scotland out with the Militia last year for training, although the proper number of the English and Scotch Militia was 99,970, exclusive of 30,828 Irish Militia, which had not been called out. The total number liable to be called out was 130,000; and instead of that number, only 87,346 had actually been called out, including 28,000 Militia Reserves, leaving 59,346 absolutely belonging to the Militia who were not called upon to serve in the Reserve. He mentioned this fact, because he believed that the right hon. Gentleman was doing all he could to unite the Militia and the Line together. The right hon. Gentleman had altered the system of Militia recruits. They were now called out for their 60 days' training at their regimental districts and drilled with the regimental depôts of the regiments to which they formed the third and fourth battalions, and he (Sir Walter B. Barttelot) believed that that system was doing good work. He believed that it was rendering the Militia recruits more likely to enlist into the Army, and more fond of soldiering than they had been. On the whole, he believed the plan was working well; but if it worked well, and they had 28,000 men in the Militia Reserve, and they wished to unite the Force as far as possible with the Line Battalions, they might depend upon it, as he had said in that House and in the Committee over and over again, the best thing they could do was to make the whole of the Militia the Reserve for the Army. He ventured to think that the question was one of those which deserved the serious attention of the right hon. Gentleman. If any case of necessity arose, he would find that the best source from which to fill up the ranks of the Army.

Mr. DALRYMPLE said, that, as alterations were proposed to be made in the uniforms of some of the Militia regiments, in consequence of their forming battalions of territorial regiments, he desired to say a few words on the subject. The noble Lord the Member for North Northumberland (Earl Percy) had already drawn attention to the unpopularity and expensive character of the proposed alterations, and he wished to add some remarks upon the inappropriateness of some of them. He was not one of those who were in the habit of saying that all changes made in respect of the Militia were bad; nor did he start with the statement that they were made without reason, although he was bound to say that the reason for them was sometimes difficult of discovery. Some of the Scotch Militia regiments, which had no posssible connection with the Highlands, were suddenly called upon to wear trews. There might be nothing startling in that announcement to some minds; but with regard to the regiment to which he belonged, he was certain that at one time, if anyone had appeared in trews he would have run the risk of being hanged. The prospect of having to wear so fantastic a garment at an advanced period of life caused him, he confessed, considerable uneasiness; but he should even now be reconciled to this change, if he could hear any good reason for it, and he trusted the right hon. Gentleman would be able to furnish this. The noble Lord the Member for Westminster (Lord Algernon Percy) had done good service in bringing forward the question relating to non-commissioned officers; and he hoped that the right hon. Gentleman, who, he knew, was always ready to do justice to this class of officers, would turn his attention to the case which had been referred to by the noble Lord.

Sir HERBERT MAXWELL desired to call the attention of the right hon. Gentleman the Secretary of State for War to the position of the few surviving Adjutants, who, in 1875, were offered, and declined, a scale of retirement which was accepted willingly by a large majority of officers under the old system. Retirement was offered at the rate of 10*s.* a-day after 15 years' service. Now, those Adjutants who at the time did not accept the scale would, if they retired now, only receive 7*s.* a-day. He wished to urge on the right hon. Gentleman that it would be in the interest of the Service, in the interest of the public, and in the interest of the comparatively few officers to whom he referred, if they were allowed to retire at the present time upon the scale of 1875; and he was prepared to show that if that course were followed there would be no additional expense to the country, because, under the existing system, the old Militia Adjutants were not available, under the terms of their appointments, for the duties of brigade depôts, and, therefore, the double appointment of Militia Regimental Adjutant and Brigade Adjutant would be saved by allowing these officers to retire under the terms of the Royal Warrant of 1875, and appointing Line Captains on the five years term, who would be available for both duties. In each of these cases the following daily saving would be effected to the public: — Adjutant's forage allowance, 1*s.* 9*d.*; stabling, 9*d.*; and lodgings, 2*s.* 3*d.*—in all, 4*s.* 9*d.* per day; from which, if the extra pension of 3*s.* per day under the Warrant of 1875 were deducted, there would result a net saving of 1*s.* 9*d.* per day. That, as he had before pointed out, would apply to the case of each of the officers he had referred to. It was not solely for the purpose of urging the desirability of effecting this small saving that he ventured to call the attention of the right hon. Gentlemen to this subject, but because he regarded the alteration suggested by him as conducive to the interests of the Service which he had so much at heart. He believed it was not in the interest of the Service that these offices should be retained any longer unwillingly at a time when they had new duties thrust upon them. On the other hand, he believed that great benefit would accrue to the Service if younger officers were appointed under more general terms.

Mr. CHILDERS: I will first endeavour to answer the question put to me by the noble Earl (Earl Percy) with reference to the arrangements in connection with the retirement of Militia officers. The noble Earl did not assume that the Government could have left things as they were formerly, because it has obviously become necessary to lay down a clear rule as to the age at which Militia officers should be compelled to retire. The noble Earl considered that an officer who is compelled to retire at the age of 60 ought to be allowed a step of honorary rank on retirement, when he had so nearly served the necessary 20 years. As a matter of good nature and good feeling, I must say I should be glad, in the case of a gentleman who had served within two or three months of the prescribed time, to recommend him for a step of honorary rank. The case in question has some remarkable circumstances connected with it; but would it be safe to relax the rule? We have laid down for the whole of the Auxiliary Forces the rule that a step of honorary rank cannot be granted, unless for 20 years' service. But, supposing it was held that because some gentlemen of 17, 18, or 19 years' service were good officers, they should be made exceptions to the rule, was that to be applied to the whole of the Auxiliary Forces, and was it to rest with the Secretary of State for War to decide whether in each case the exception should be made? I am bound to say that this would be a discretion which I do not think could be accepted by the Secretary of State. I will, however, look into the cases of the officers alluded to by the noble Earl. I believe there have been cases in which the end of the next training has been taken as the time for concluding an officer's service, and that might be the case in the present instance. However, I cannot pledge myself in any way, because I know nothing of the circumstances. As to the proper age for these retirements, we have had to deal with these officers under two distinct categories—namely, those who have already attained the intended maximum age, and those who have not, the former being supposed to have a certain vested interest. It was always customary to make some distinction of that kind, and I do not think it at all an unfair one. With regard to the changes of uniform and the allowances in connection with them which have been suggested, I would point out to the noble Earl that in former years there have been many cases of change in the uniforms of Militia regiments of a far more expensive character than those which are now intended, for which no allowance whatever has been made. We have, however, laid down, after full consideration, that certain allowance should be made in cases where the change is of an expensive kind, and, having applied that rule to the whole Service, I do not feel we should be justified now in making any alteration. I am aware that it is the case that some commanding officers have encouraged their officers to alter their uniforms at once, notwithstanding that the instructions from the War Office were that the change should not take place until the uniforms were worn out. The position is this—that no allowance will be made unless the changes are compulsory, and they will not be compulsory until it becomes necessary to have new uniforms. I am, therefore, in this matter obliged to adhere to the decision already arrived at. I was glad to receive from the hon. and gallant Gentleman the Member for West Sussex (Sir Walter B. Barttelot) his approbation of the arrangements we have made for training the Militia recruits in their own districts, and I can assure him that I am extremely anxious to do all in my power to bind together the Militia and Line battalions. The hon. Member for Wigton (Sir Herbert Maxwell) has drawn my attention to the present position of Adjutants who did not accept the terms of retirement offered to them in 1875. We are looking forward to the carrying out to the full of the system under which the Adjutants of Militia regiments will be in the same position with regard to term of service as officers of this rank are in the Line regiments with which the Militia battalions are connected. I shall be glad, therefore, to see the time when the old Adjutants of Militia have been worked out, and the whole Force placed upon the same footing; but in the cases to which the hon. Member has alluded, I must say that we cannot re-open the offer made to officers in 1875. They had at that time a fair opportunity of taking the rate of retirement offered to them; but they elected not to do so, and it would be extremely inconvenient that, this election having been offered and refused, this matter should be re-opened some years afterwards on the ground that better terms had been since offered to others. I was also asked by the noble Lord the Member for Westminster (Lord Algernon Percy) a question with regard to the pay of Sergeant Majors and other non-commissioned officers, as compared with the rate of pay of similar ranks in the Line regiments employed in regimental depôts. To that question the answer is plain. Where the non-commissioned officer is serving on a Line engagement the rate of pay is the same; where he is not serving on a Line engagement, but merely happens to have been a private or non-commissioned officer of a Line regiment, his pay would be the Militia rate of pay, and not the Army rate. That has been the case always; and I think a great injustice would follow if a non-commissioned officer of the Militia, not serving on a Line engagement, and not having the same experience as non-commissioned officers of the Line, were not to receive the same pay as men of the corresponding rank in the Line. There are, doubtless, one or two adjustments which it may be possible to make as to the pay of non-commissioned officers of Militia. I think the case to which the noble Lord has called attention deserves consideration; but I cannot depart from the general rule, and in that respect I regret my inability to agree to the noble Lord's proposal. The hon. and gallant Member for West Sussex (Sir Walter B. Bartellot) says he would like to see Militia regiments consisting entirely of Militia Reserve men. That, as the hon. and gallant Member has said, is indeed a large question. In principle I confess I should not be sorry to see something like it carried into effect; but we have of late already made such large changes, that I should hesitate to adopt at once a plan of such magnitude, and which would require for its development a considerable change in the Constitutional character of the Militia, who would then always be liable to serve abroad. Still I am of opinion that the nearer you bind the Militia and the Line together, and the more you cause the Militia to believe that they are the support and reserve of the Line, the better. The hon. Member for Bute (Mr. Dalrymple) has referred to his advanced age, and objected to wear trews. I have never heard until now that the hon. Gentleman classed himself amongst the senior Members of the House, nor do I think that anyone looking at him would be inclined to do so; but I think it would be a misfortune if we were to go back from the principle that the Militia battalions of territorial regiments should wear the same uniform as the regiments of the Line with which they are connected. Of course, when we laid down that principle, we were aware that in some cases there would be objections; but these objections, I think, have to be weighed against the advantages of the system and the satisfaction which has been felt by the great body of Militia officers at the assimilation of dress. I hope, therefore, the hon. Member will regard this as a sufficient reason for the change; that he will long remain connected with his regiment, and that he will no longer feel the inappropriateness of wearing trews. I believe I have now replied to all the questions which have been put to me, and I trust that my answers have been satisfactory to hon. Members.

Colonel STANLEY said, he could entirely endorse what had fallen from his right hon. Friend opposite as to the expediency of uniting, as far as possible, the general character of the uniforms as worn by men of the different battalions comprising one territorial regiment. If he ventured again to refer to this point, it was because this change had been spoken of as one which the authorities had proposed merely for the sake of the change, without any sufficient or sound reason. That, however, was not the case; for in 1876 the Committee, over which he had the honour to preside, amongst other recommendations, recommended that the uniforms of the battalions of territorial regiments should be, as far as possible, assimilated. In making that recommendation, the Committee proceeded mainly on this consideration. It was felt to be desirable to draw together the Militia and Line battalions of the regiment, or brigade, as it was then called, so that the Militia Reserve men, with as little delay and inconvenience as possible, in the event of their being called out, should be able to take their places in the Line, and be at once embodied in the depôt of their regiments. The Committee foresaw in 1876, and pointed out, what would be the inconvenience of a Militia regiment wearing, say, a green uniform, having to go as reserve to a Line regiment dressed in red. The confusion, under such circumstances, would undoubtedly be very great, as was pointed out by the Committee; and two years afterwards all the difficulties apprehended were found to take place in actual practice. Therefore, he thought his right hon. Friend was right in pressing forward a change which underlay, to a great extent, the whole principle of organization, that Reserve men should, as far as possible, be able to go at once to the Line battalions of which, on paper, they formed the reserve at the time he had mentioned. Although as everyone, and nobody more readily than the Secretary of State for War, would admit, there were inconveniences connected with the alteration of uniform, these were, as he ventured to think, minor considerations as compared with the great object of drawing together the Militia and Line regiments, and making Militia regiments, in greater or less degree, an efficient reserve to the Line regiments to which they were attached. He believed it to be the general feeling that the closer the connection between these two branches of the Service could be drawn the better; but, at the same time, it was obvious that, in a voluntary system of service in the Line and in the Militia, it would be desirable to feel the way, so to speak, and not to make violent changes. The changes indicated by the hon. and gallant Member for West Sussex (Sir Walter B. Barttelot) were of a kind that, under a voluntary system like ours, must, he thought, be proceeded with very carefully and tentatively. They must also be considered with relation to the large increase of the Standing Army which would result from them; and upon that point he was bound to express his opinion that the House would not be likely to disregard certain principles which had weight with the great body of Members. With regard to the suggestion which had been so well urged by the noble Lord the Member for Westminster (Lord Algernon Percy) and by other hon. Members, for remedying the discrepancies which existed in the scale of allowances to the various members of the Militia Staff, he thought if the right hon. Gentleman could regard these with favour, he would be doing a great deal to bring about that uniformity in the two branches of the Service which was so very desirable. He frankly admitted that economical and other reasons prevented the change being made during the time he had the honour to fill the Office now held by the right hon. Gentleman; but, at the same time, the principle was never lost sight of, that though it might be wise at present to recognize the two systems of what he might call the old Militia engagement and the new Line engagement, it was, nevertheless, desirable as far as possible, to press forward the time when, speaking as a general principle, those who were side by side and performed similar duties should receive similar pay and allowances. It was only a question of time. They could not suddenly place upon the older men all these new duties, nor was it right that the older men should receive the same pay as those who were called upon to do more extensive work. All these changes must be effected by degrees. He hoped that this Committee and subsequent Committees in other years, would always approach the Vote on the general principle that it was desirable to draw together the bonds that united the Militia and the Line. It would be to the advantage of both arms of the Service that they should approach the Vote in this spirit. In the Militia they might have a thoroughly good and trusty Reserve of the Line battalions of the Army, by drawing together the lines that united the two bodies; and this would be found to conduce to that harmony which it was the intention of Viscount Cardwell to bring about in his scheme of 1870 and 1871.

EARL PERCY said, he thought the right hon. Gentleman the Secretary of State for War had mistaken the scope of his (Earl Percy's) remarks as to change of uniform. He had not referred to the change of uniform of the men, as he was aware that there were cogent reasons for that change; but what he had alluded to was the change in the uniform of the officers, which stood on different grounds. He did not wish to say anything more on the subject, as he knew it was useless; and he would merely ask what change of uniform as expensive, or more expensive than that, had occurred in recent times in the Militia? He had been in the Militia for nearly 20 years, and during the whole of that period no change so expensive to the officers had been made. No doubt, there had been changes in the head dress or in the coat; but he had never known anything like this. The only change approaching it was the silver lace uniform for Court dress; but that change was not compulsory. The right hon. Gentleman had said he understood he (Earl Percy) did not take any exception, as a matter of policy, to the retirement of Captains. He did not think he had said that. He had said his belief was that an elastic system, whereby they could keep a Captain beyond the specified time if he was sufficiently recommended, was better than drawing a hard-and-fast line. Some men were far more fit for service at 55 or 60 than many at a much younger age. But he did not wish to raise the question of the policy of the proposal at the present time, and he only said this to guard himself from misunderstanding. The right hon. Gentleman had said the instance he (Earl Percy) had mentioned must have been an exceptional one, as the Captains he had referred to must have entered the Service at the age of 41. He had just been going over the evidence, and, so far from its being an exceptional case, he had found other cases where officers had joined the Militia at the ages of 47, 49, and 53. He, therefore, hardly thought the right hon. Gentleman was correct when he said the case was an exceptional one. When the right hon. Gentleman said he thought it expedient that the War Office should have a discretionary power, he rather mistook what he (Earl Percy) was pleading for, and what these officers asked. He was not asking that in the future any exception should be made. He asked that those who were over the age for retirement when the Order came out—and they might be counted on one's fingers—might receive that step in honorary rank which they would have been able to obtain if it had not been for this sudden cutting-off of their hopes of promotion. He wished this to be retrospective. He should like the right hon. Gentleman to say what the reason was that induced the Government to make that change in the bounty which was offered to the Militia—why, in certain cases 30*s.* was given to a Militiaman, and in others £2 was given to him, although he had performed exactly the same amount of service?

Sir WALTER B. BARTTELOT said, he just wished to call the right hon. Gentleman's attention to a subject he had promised last year to take into his very serious consideration, and that was the very important subject of the punishment of the Militia. At present there were no cells at the depôt centres where Militiamen under punishment could be placed, or certainly not enough, and the men were accordingly sent to prison. This practice ought to be stopped, and cells should be provided at the depôt centres for the confinement of Militiamen. The right hon. Gentleman, as he had stated, had promised last year that he would take the subject into his serious consideration. No doubt it would cause expense to provide these cells; but such expense would be worth incurring for the good of the Service.

Sir JOHN HAY said, that before the right hon. Gentleman answered on the question of retirement, he should like to make a suggestion to him, founded on the discussions which had occurred in reference to retirement in the Navy. A boon had been granted to Foot Guards' Captains, with regard to whose position they had had discussions in the House 20 years ago. The rule which had been adopted had been this — that officers who had served a certain time had, on retirement, received a step in rank without any increase of pay. Such a system would be of great advantage in the Militia, and it would be a source of satisfaction to the officers concerned and their friends, without involving any additional cost to the country. It was true that some years ago, when there were no Volunteers, it was a question whether a person who had fairly obtained his rank, partly by purchase and partly by other means, should be allowed a step on retirement; but now the case was different. Every man who was discontented was a bad recruiting officer in his own district; and it was essential, where they wanted to induce men to enter the Service, that there should be no centres of disaffection, as there would be if they allowed men on retirement to remain Captains when they should be Majors. It would cost nothing to make a retiring Captain a Major, and it would give a great deal of satisfaction. The officer who, in his own district, was called upon at a dinner to return thanks for the Army, would be much better satisfied to hear himself called "Major Smith" than merely "Captain Smith." If the Regulations were made more elastic in this respect, it would be an advantage; and it would not only give satisfaction to the individuals concerned and their friends, but would give encouragement to others, to whom these officers were known, to join the Reserve Forces or the Line. There was one other question to which he wished to draw the attention of the right hon. Gentleman, which touched him (Sir John Hay) himself excessively. He did not wear them, but his hon. and gallant Friends the Members for Bute (Mr. Dalrymple) and Wigton (Sir Herbert Maxwell) were both Captains in Militia regiments which had been condemned to wear the trews. He must say he viewed that change with the greatest alarm. It had not only injured his hon. and gallant Friends, but had created a considerable amount of discontent in the South-Western counties of Scotland, where the inhabitants were generally most loyal. The right hon. Gentleman had said that the necessity for this change was in consequence of the fact—which he fully recognized—that it was necessary that the battalions to which his hon. and gallant Friends belonged should be assimilated to the 1st, 2nd, and 3rd Battalions of that distinguished regiment which belonged to their part of Scotland. A battalion of that regiment a few years ago embarked on board a line-of-battle ship he had had the honour of commanding—the *Hannibal*—in the Black Sea. The men did not at that time wear the trews, but black or dark coloured continuations, which he was sure would be satisfactory to his hon. and gallant Friends. What was required was that the 1st and 2nd Battalions—which were the distinguished battalions of the old 21st Regiment, now the Royal Scots—should go back to the "continuation," which, it was considered, would be more becoming to all four battalions. They had had nothing to do with the kilt, and the trews, so far as he knew, were only a modest continuation of that dress. In that part of Scotland they knew nothing but the black and white plaid. He trusted that his hon. and gallant Friends would soon find themselves dressed in a garment which would be much more becoming and much more satisfactory.

SIR HERBERT MAXWELL said, he wished to draw the attention of the right hon. Gentleman to a point of more importance than the question of the particular pattern selected for the nether garments of the regiment he served in. It was a question to which he had drawn the right hon. Gentleman's attention last year—namely, the subject of musketry instruction in the Militia. It was a subject which must be considered of preeminent importance, because no Force in these days of arms of precision was of the slightest use without, in some degree more or less perfect, being able to use those arms. He had ventured last year to suggest to the right hon. Gentleman three courses, or modes, by which he thought the present system might be improved. One was to discontinue musketry instruction to disembodied Militia altogether; the second was to have alternative trainings devoted to musketry instruction and field exercises; and the third was to have seperate companies of Militia during the non-training seasons under instruction in musketry at the regimental headquarters. The right hon. Gentleman had said these three courses were under the consideration of the Commission appointed to inquire into the system of musketry instruction. He (Sir Herbert Maxwell) trusted, therefore, that the right hon. Gentleman would be able to give the Committee information as to the recommendations of the Commission with reference to some amelioration of the present system. He could assure the right hon. Gentleman, having been 17 years in the Militia, that the money spent at present in instructing Militiamen in musketry was absolutely thrown away. The system of musketry instruction was a farce. There were two minor points on which he would venture to ask information—one was, why the Channel Islands Militia was this year, for the first time, included in the Establishment; and the other was, why the Militia Reserve did not appear, with regard to numbers in training, as they did in 1881? The right hon. Gentleman would pardon him for asking so many questions, perhaps; but it must not be forgotten that this was the only opportunity those who were interested in the Service had of bringing them on.

SIR HENRY FLETCHER said, he rose, though not as a Militiaman, to supplement the appeal of the hon. and gallant Gentleman the Member for Wigton (Sir Herbert Maxwell) with regard to musketry instruction, not only in the Militia, but in the Regular Army also. This appeared to him to be a great and a very grave question. The only musketry instruction the men had was in firing a certain number of rounds per annum; and he, as one who for years had taken the deepest interest in everything connected with the Service, certainly thought that musketry instruction should be given in a manner very different to that which had been adopted up to the present moment. He would carry the Committee back 28 years, if they would allow him, when the regiment in which he had the honour to serve was supplied with the old Brown Bess, which only carried, perhaps, 100 yards. Since then many changes had been made, and many advantages had accrued to the Service. He would, however, impress upon the right hon. Gentleman the necessity of allowing a much larger percentage of rounds to be handed over to the various regiments, in order that they might render themselves more perfect in musketry practice than they were able to do at the present moment. He thought as much ammunition as possible should be allowed to Colonels of regiments for the use of their men.

Mr. ROUND said, the right hon. Gentleman had stated just now, in reply to a noble Lord (Lord Algernon Percy), that he intended to consider the question of allowances in respect of non-commissioned officers in the Militia. He (Mr. Round) did not know whether the allowances alluded to were lodging allowances or not; but he should like to hear this, as no greater lodging allowance was now made to a sergeant major than to a drummer boy, and he thought this should be remedied. A new system of drilling Militia recruits had just come into force, and the old plan of bringing up all the recruits together for two months' training before the assembling of the regiment had been abolished. As to the present mode, he did not wish to cast doubts upon its success; but he had had some years' experience of the old one, and he was bound to say he thought it preferable to the new plan. Till now recruits commenced drill under their own officers and non-commissioned officers; they knew each other, and got accustomed to drilling together. It was of great advantage to all concerned when the regiment came up for drill, if the recruits were familiar with their non-commissioned officers. He hoped, therefore, the right hon. Gentleman would not be afraid of going back to the old system if it was found that the new one was not a success. The next point he wished to mention was the small number of non-commissioned officers who were present at drill during the annual training of their regiments. There was often no more than two non-commissioned officers to every 40 rank and file; the deductions made in respect of canteen duty, guard duty, hospital duty, and other special services, left a very small number indeed to go out for drill. Sometimes there was only one non-commissioned officer of the permanent staff to a company of 80 men. He trusted the right hon. Gentleman would give some attention to this point, for he assured him that if he could add to the number of non-commissioned officers attending the training it would be greatly to the advantage of the Militia.

Mr. CHILDERS was greatly obliged to hon. and gallant Members who had had experience in the Militia for the suggestions they had made. He was not aware that there was a paucity in the number of non-commissioned officers in any battalion; but he would take care to inquire into the matter. As to the rates of allowance he had spoken of, he wished to say that many of them were very antiquated; but they were revising all these rates. He agreed with his hon. and gallant Friends opposite that it would be desirable to expedite, as far as they could, the time when the Militia would have all their non-commissioned officers taken on their Line engagements, and when the non-commissioned officers of the Line and Militia would be on the same footing. Of course, it would be rash for them to put the whole of the non-commissioned officers of the Militia not serving on Line engagements on the same footing as non-commissioned officers of the Line. The noble Earl opposite (Earl Percy) had asked him whether he remembered a change of uniform having occurred lately where no allowance was made.

Earl PERCY: More expensive than the present, I said.

Mr. CHILDERS: Yes. He could inform the noble Earl of several cases; he had mentioned them, but could give each individual case if necessary. He had mentioned the case of change from the ordinary uniform to the Highland dress, and there had been changes in regard to the Artillery dress far more expensive than that the noble Earl referred to. He was not aware—although he had made inquiries to ascertain whether such had taken place—that any applications for allowances had been made in these cases.

Earl PERCY said, the changes referred to had not affected the whole Militia Force.

Mr. CHILDERS said, that, undoubtedly, that was the case in several instances. The right hon. and gallant Gentleman opposite (Sir John Hay) had referred to the question of trews, and had spoken of it as not only affecting the comfort and convenience of such officers as the hon. and gallant Members for Wigton (Sir Herbert Maxwell) and Bute (Mr. Dalrymple), but as having become really an alarming matter. Well, he had never been under the impression that the 21st Regiment, which, he believed, had always had pipers, wished to disown their connection with the kilt. The change had been made, and, it seemed to him, with good reason; and what had been suggested to-night with regard to disloyalty he could never imagine as existing in Scotland at all. As to the question of providing cells for the punishment of Militiamen at the depôts, the hon. and gallant Member (Sir Walter B. Barttelot) was quite right. The matter had been mentioned last year, and at this very moment an investigation into the circumstances was proceeding. It was undoubtedly desirable that these cells should be provided at some depôts. The hon. and gallant Member for Wigton (Sir Herbert Maxwell) had asked him why the Militia of Jersey and Guernsey were included. If the hon. and gallant Member would look at the Votes he would see that the item formerly came under Vote 15, and that it had been merely transferred from there to the present Vote, to which it more properly belonged than to the head of "Miscellaneous" items. The hon. and gallant Member had also asked what it was proposed to do to improve musketry instruction; and this question had also been pressed upon them by hon. Members in other quarters. He had already stated that they had not yet completed all the arrangements it was proposed to carry out to improve the musketry instruction of the Army. The matter had been reported upon by a Departmental Committee, whose Report was now under the consideration of the Commander-in-Chief and his Staff. He might say that a very large increase in the number of rounds to be fired in the Line and in the Militia would undoubtedly be one of the changes carried out. In the present Estimates a sufficient sum for the increase had been provided; but the precise details had not yet been settled.

Mr. BIGGAR said, he wished to call attention to the Antrim Militia. The right hon. Gentleman would remember that on a former occasion attention had been called to the want of discipline in that regiment, and to the fact that material changes had been brought about by the retirement of the Colonel. The want of discipline was not confined to the Colonel alone, and the effect of his retirement had been that all the other officers had had a step of promotion. He had asked the right hon. Gentleman a question as to the discipline of this regiment last year, and had received an answer to the effect that the discipline was all that could be desired. It was very strange that at the time when the discipline of this regiment was alleged to be so perfect the regiment had no practical existence; and, if he was rightly informed, 50 or 60 members of the force had substantial stoppages made from their pay as a punishment for drunkenness; and there were more courts martial in the year 1880-1, when the regiment was embodied, than the average number. He was also informed that the gentleman who was made Colonel of the regiment was an Englishman, and had not a very high idea of strict discipline. It was alleged in the newspapers that in June, 1880, he had acted contrary to the proper rules of the Service; and instead of his being promoted, he ought to been reprimanded. Then, again, Major Johnstone, who had got the second position in the regiment, was alleged to have sent recommendations to the Commander-in-Chief in Dublin, recommending certain officers for promotion without having consulted his commanding officer. On these subjects he should be glad of information. He would like to know whether the statement that this regiment, which had been embodied within the last two years, was in a satisfactory state, and whether the right hon. Gentleman would allow a certain proportion of its present officers to fill up their places with men against whom no such charges could be made?

Sir JAMES M'GAREL-HOGG said, he happened to live in the county of which the hon. Member spoke; and he must say, as an officer, that he had never heard anything more unjust or unfair than the statements which the hon. Member had made on the strength of newspaper reports. The hon. Member said somebody said so and so; and by name he mentioned, and tried to take away the character of a body of honourable officers in Her Majesty's Service. He did not think it was fair to make such charges without a tittle of evidence; and if the hon. Member had anything to say against those officers, he ought to prove his statements, and not go to newspaper correspondents. He hoped the right hon. Gentleman would give an answer commensurate with the charges made.

Mr. HEALY said, he thought it was quite as justifiable for his hon. Friend to make charges on the strength of newspaper reports as for the hon. and gallant Member to reprove him on a matter that he knew nothing about. Why should not Irish Members be as competent to judge of matters brought under their notice as any newspaper editor? Why should the House of Commons be supposed to be sacred to criminals and offenders, while every newspaper editor considered himself competent to comment upon every matter from whatever source his information came? The statements which his hon. Friend quoted were not denied, and it was his duty to bring them forward; but the hon. and gallant Baronet seemed to think it his duty to get up and denounce the hon. Member for doing what every editor believed himself competent to do. The Irish Members, if the necessity arose, were entitled, in their capacity as Members, to comment upon these matters, and he did not think his hon. Friend had done anything beyond what any hon. Member might do; and he protested against Irish Members, who were in the exercise of their functions and called attention to the Militia or other branches of the Service being attacked, and even insulted, by other Members who had no concern in the matter.

The JUDGE ADVOCATE GENERAL (Mr. Osborne Morgan) said, that the proceedings of all these courts martial came before him; but this was the first time he had ever heard of any such proceedings as those to which the hon. Member had alluded, and until he had better authority to go on than newspaper reports he should respectfully decline to believe what had been stated.

Sir HERBERT MAXWELL repeated his question as to the number of the Militia Reserve last year.

Mr. BIGGAR said, he had stated that the discipline of the Antrim Militia was practically in a vicious state. The Colonel of the regiment had retired, and other officers who were mixed up in the matters on account of which the Colonel retired had been promoted. The Department, instead of giving promotion to gentlemen who were notoriously ill-conducted, should have reprimanded them for their conduct; and he reminded the House that last year, in reply to a question, the right hon. Gentleman had stated that the discipline was satisfactory, although, as a matter of fact, the regiment had not been then embodied. He thought he was fully entitled to act as he had acted, and the right hon. and learned Gentleman the Judge Advocate General knew nothing whatever about the subject, and an answer from him was not entitled to any consideration.

Mr. CHILDERS said, the hon. Member for Cavan had brought that question forward the year before last, and also last year. He himself had made full inquiry into the matter, and he told the House distinctly what were the cases in which the Department had not been satisfied with regard to the Antrim Militia. Since then, the condition of the regiment had been satisfactory; and when the hon. Member for Cavan said that it was notoriously in an unsatisfactory state, he must, with all deference, distinctly contradict him. The promotions which had been referred to had taken place only after due and proper inquiry had been made by the military authorities.

Mr. HEALY asked whether the right hon. Gentleman would have any objection to issuing a Return with regard to the Militia and the Yeomanry regiments called out in Ireland since 1880, showing the number of men and the amounts of money paid since that year, which was the year when the Liberal Government took Office? He should be glad to know what trust the Government put in Militia regiments in Ireland.

MR. CHILDERS said, he presumed the hon. Member was aware that in 1881-2 the Militia in Ireland had not been called out. He had stated that in moving his Estimates in both years.

MR. BIGGAR referred again to the Antrim Militia, and stated that although the right hon. Gentleman said the condition of that regiment was satisfactory, he found that upwards of 50 soldiers had had stoppages made in their pay for drunkenness during training. That gave a very different idea from the statement of the right hon. Gentleman; and he was perfectly convinced that the right hon. Gentleman was wrong absolutely in his information, and that his own statements as to the condition of the men and the officers was correct.

MR. CHILDERS said, he thought it was possible that some of the men had in the year 1880 taken too much whiskey; but that did not prove that the Antrim Militia was not in a satisfactory state. He could only repeat his statement that the Militia was in a satisfactory condition.

MR. ARTHUR O'CONNOR asked whether the right hon. Gentleman would consider the question of continuing the Staff of the Irish Militia on its present footing; and whether he had decided to call out the Militia for training during the period when the Coercion Bill just brought in would be in force in Ireland?

MR. CHILDERS replied, that the Militia would not be called out this year for training; and what would happen next year would have to be considered at the proper time.

MR. BIGGAR said, he had received a letter with regard to the Militia Staff in Armagh, which stated that at the depôt centre there were two sets of officers, one connected with the Line, and another with the Militia. Seeing that there was no embodied Militia in Ireland, he thought it was preposterous that a full Staff of Militia should continue to be kept up when their services were perfectly useless. The letter stated that the Adjutant of Militia at the head-quarters drew full pay, and that another officer was getting extra allowances. If that was so, it seemed to him that there was a waste of power at the depôt centres; and he thought some means ought to be adopted for sending the Sergeants and other officers connected with the Militia to the regiments.

MR. CHILDERS said, that if any reduction was necessary it would have to be in the Staff of the Militia; and he was not disposed, without further inquiry, to discharge a part of the Militia, when it was hoped, very shortly, that the Militia might be again called out in Ireland.

MR. BIGGAR said, the suggestion his correspondent made was that the Militia officers should be kept at the depôt centre, and that the others should be sent to their regiments. He did not think there was the slightest use in keeping up a permanent Staff in connection with the Militia. It would be easy to form a new Staff if it was at any time considered desirable to have Militia regiments in Ireland; but, so far as he could see, the Militia caused an entire waste of money. They had not the slightest appearance of soldiers, and the time they had for drill was so short that it was impossible they could get any benefit from being embodied as they at present were in Ireland.

MR. DE LA POER BERESFORD said, he lived in Armagh, and he knew something about the Militia; but it struck him that neither the hon. Member nor his correspondent knew what they were talking about. The Armagh regiment was one of the best and strongest regiments in the Irish Militia. The men were essentially fine men, and well officered; and one of the regiments last year was nearly 400 strong. That regiment was effective, and fully equal to any regiment of Militia in Her Majesty's Service.

Question put, and *agreed to.*

(5.) £69,000, Yeomanry Cavalry.

MR. ACLAND inquired whether the right hon. Gentleman had considered the desirability of making some arrangement in succeeding years by which Yeomanry Cavalry should receive some small allowance by way of payment for the extra drills, of which there were about three that were compulsory? The ordinary payment for a Yeoman on duty was 7*s.* a-day. The great difficulty was to get men to come up for these extra drills; and in 1879, when there was no permanent duty, some few drills were paid for by the Government, and then there was no difficulty of that kind. All those extra drills were attended; and he wished to ask whether, in future years, the Yeomanry might hope for some small allowance to Yeomen for attendance at these extra drills? This year the charge for the payment of Yeomanry was £5,000 less than last year; and he was sure a very much less sum than that would be of great value in enabling the Yeomanry officers to get their men together for the purposes of the Service.

Mr. CHILDERS said, he rejoiced that his hon. Friend, whose reputation as a Yeomanry officer was so well known, had taken part in this debate; and any suggestion from him should receive the best consideration. The position of the Department in respect to the Yeomanry was that there had not been, for a good many years, any inquiry affecting the Yeomanry, and various points for consideration had accumulated; but the Adjutant General and other officers were at present making an inquiry into the several questions affecting the Yeomanry; but he could not state details, because no conclusion had been arrived at. Among the various questions, he would take care that the suggestion of his hon. Friend was considered.

Vote *agreed to.*

Resolutions to be reported upon *Monday* next;

Committee to sit again upon *Monday* next.

METROPOLIS MANAGEMENT AND BUILDING ACTS AMENDMENT BILL.

(*Sir James M'Garel-Hogg, Admiral Sir John Hay, Sir Andrew Lusk.*)

[BILL 107.] COMMITTEE.

[*Progress 2nd May.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 6 *agreed to.*

Clause 7 (Provisions as to new streets).

Mr. WARTON said, he had several Amendments to propose upon this clause. The clause contained the words "with such particulars in relation thereto as may be required by the Board." He thought these words were hardly fair, because nobody could tell what the Board might require, or when or how often they might change their requirements. It seemed to him that, with these words, if any question arose between the Board and the person injured it would be very difficult to determine what was necessary. Therefore, what he would suggest was to omit the word "such" and to substitute the words "all necessary particulars in relation thereto;" and he should also propose to strike out the words "as required by the Board."

Amendment proposed, in page 3, line 8, to leave out the word "such," in order to insert the words "all necessary."—(*Mr. Warton.*)

Question proposed, "That the word 'such' stand part of the Clause."

Sir JAMES M'GAREL-HOGG said, he did not quite catch the meaning of the hon. and learned Member; but if he would allow this clause to pass now and then explain what he meant, he would endeavour to give effect to it on Report.

Mr. WARTON: That will not do.

Mr. FIRTH said, the line to which the hon. and learned Member referred was not the only one open to objection. Here was a Board, which was not a representative Board, proposing to impose such conditions as they might think fit, and that proposal appeared in line 8, line 13, and line 19, and the whole basis of the section consisted in the words "such conditions as they may think proper to prescribe." There were cases in which the Board had thought proper to prescribe that buildings should not be erected on a given line and in a certain way unless some compensation was agreed to. Their consent had been given in that way, and he thought this was a power that ought not to be given to the Board.

Sir JAMES M'GAREL-HOGG said, a man in the suburbs might wish to lay out streets, but there might be great difficulty in getting them laid out for the benefit of the public, and this clause was proposed simply to remedy difficulties which frequently occurred. It had nothing to do with the buildings themselves, but simply with the laying out of new streets.

Mr. FIRTH said, this clause had to do with laying out streets; but the next clause related to buildings. No additional jurisdiction ought to be given to the Board of Works.

Sir JAMES M'GAREL-HOGG said, the present powers of the Board of Works were inadequate in regard to the laying out of streets, and they were only asking the House to give them the power that was necessary.

MR. FIRTH said, he had frequently been engaged in cases affecting the Board of Works, and it was with knowledge so obtained that he made his statement.

Question put.

The Committee *divided*:—Ayes 42; Noes 8: Majority 34.—(Div. List, No. 79.)

MR. WARTON said, he proposed to strike out the words "think proper to," in page 3, line 14, and also at the beginning of line 19. They had not to do with what the thoughts and intentions of this body were. They might be the most proper people in the world, and they might not. The question was really an important one, and he hoped the hon. and learned Solicitor General would give the Committee an opinion upon it. On the last occasion he had refused to give an opinion, and had only given a Governmental vote; but it was to be hoped on this occasion he would rise and say something.

Amendment *negatived.*

MR. BOORD said, he had an Amendment to propose at the end of the clause.

MR. WARTON said, he had an Amendment before that in line 25. He wished to insert the word "such" before "conditions."

MR. FIRTH said, he only wished to say that, after the very conclusive division they had had, he hoped the hon. and learned Member would not divide on this matter. Having seen this clause in actual working, and knowing something of the Metropolitan Board of Works, he could only say these were not powers which should be given to that body.

SIR JAMES M'GAREL-HOGG said, he was prepared to accept the Amendment.

Amendment *agreed to.*

MR. BOORD said, he wished to move the Amendment standing in the name of the hon. Member for East Surrey (Mr. Grantham).

Amendment proposed,

In page 3, line 33, insert "Provided always, That in case the said person so intending to form or lay out any road, passage, or way, as aforesaid, considers that any of the conditions fixed or annexed by the Board are unreasonable, then the said person so objecting to the said conditions may appeal to the police magistrate for the district in which the said road, passage, or way is situate, and his decision shall be final upon the question."—(*Mr. Boord.*)

Question proposed, "That those words be there inserted."

MR. WARTON said, he was in favour of the Amendment; but there were some ugly words in it—namely, as to conditions "fixed or annexed." As they had accepted the word "prescribed" already, he would propose that they should substitute it for the objectionable words.

THE CHAIRMAN: Does the hon. and learned Member propose this as an Amendment?

MR. WARTON: Yes; as an Amendment to the proposed Amendment.

MR. BOORD said, he had no objection to it.

Amendment to the proposed Amendment and original Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 8 (Provisions restricting in certain cases the laying out of streets for foot traffic only).

MR. WARTON said, that in this clause, on page 4, line 3, they had the words "think proper to" again. He would propose to strike them out.

Amendment *agreed to.*

MR. WARTON moved, after the word "to," in line 14, to insert the word "such."

Amendment *agreed to.*

MR. BOORD said, he wished to add the same provision at the end of this clause, as he had added at the end of Clause 7. It would only be necessary to insert the same power of appeal as in the last section; and as the Metropolitan Board of Works proposed that they should prescribe conditions, it seemed to him that his hon. and gallant Friend (Sir James M'Garel-Hogg) should not object to the insertion of the words. He would not trouble the Committee with any remarks on the Amendment, and trusted the hon. and gallant Member would either accept it or give a reason why he could not do so.

Amendment proposed, in page 4, line 22, insert "same power of appeal as in last section."—(*Mr. Boord.*)

Question proposed, "That those words be there inserted."

Sir JAMES M'GAREL-HOGG said, he hoped the hon. Member would not press the Amendment, and pointed out that the evil which the provision was to remedy existed, not only in London, but in many large cities. The poor in many thickly-populated towns lived in narrow, dreadful places, and the object of the Artizans' Dwellings Act was to remove all these. In Liverpool and elsewhere, under the Act, large sums had been spent in this way. Well, people should not be allowed to build these objectionable dwellings; otherwise, those who came after hon. Members would have imposed on them the duty of removing them.

Mr. A. J. BALFOUR said, that unless this Amendment were adopted the Bill would hardly run on all fours. The hon. and gallant Member had already conceded a power of appeal in the case of roads, but now declined to concede it in the case of footpaths. It was hard to discover on what principle he was acting. He should either refuse the appeal in the case of roads, or concede it in the case of footpaths.

Mr. FIRTH hoped the Amendment would be adopted. If the regulations were laid down in bye-laws, the state of the case would be different; but the Board would be guided by their surveyor, who might be influenced by a variety of considerations—into which it was now needless to enter—in recommending the conditions which should be imposed.

Sir JAMES M'GAREL-HOGG said, he was willing to accept the Amendment.

Amendment *agreed to*

Clause, as amended, *agreed to.*

Clause 9 (Board may annex and enforce conditions as to space to be left open where building is erected beyond the general or regular line of building).

Mr. BOORD said, he had a small addition to make to this clause for the protection, by way of compensation, to those persons who proposed to build on the forecourts or gardens of their houses; and this Amendment, he trusted, would meet with the approval of the Committee. It would be observed that a freeholder proposing to erect a building on the space of ground in front of his house would be obliged to accept any conditions which the Metropolitan Board of Works might think proper to impose on giving their consent as to the area of land in front of the building to be erected. That was to say, that the Metropolitan Board of Works had power to confiscate for the use of the public a portion of the freeholder's property; and the object of his Amendment was to compensate him for the loss sustained in consequence.

Amendment proposed, in page 4, line 27, after the word "may," to insert "subject to compensation."—(*Mr. Boord.*)

Question proposed, "That those words be there inserted."

Mr. FIRTH pointed out that cases had arisen in which the Metropolitan Board of Works had not given their consent to the erection of houses in forecourts, except on the condition that a certain portion of land should be surrendered for the public use, without any sort of compensation. He regarded that as unjust in itself, and he did not think hon. Members would expect that such a condition would come within the meaning of the section. Cases of this kind having actually occurred already, he trusted the hon. and gallant Gentleman in charge of the Bill would be able to accept the Amendment.

The SOLICITOR GENERAL (Sir Farrer Herschell) remarked, that there was no provision in the Amendment of the hon. Member opposite that payment of compensation should be made at the expense of the Metropolitan Board of Works—in fact, there was no indication by whom or to whom it was to be paid. The position of the matter, as he understood it, was this. As the law stood at present, the Metropolitan Board of Works had power to prohibit the erection of any building which would go beyond the general line of the street. But the clause before the Committee only provided that the Metropolitan Board of Works, who could thus refuse their consent altogether, might give a qualified consent upon such conditions as they might think fit. If, therefore, they could refuse consent altogether without compensation, it appeared to him there was no reason why, if they gave a qualified consent, that consent should carry with it compensation. It was difficult to see on what ground the owner could found his claim to compensation. He pointed out also that the Amendment, even if it were considered by the Committee, could not be accepted in its present form.

SIR JAMES M'GAREL-HOGG said, he wished to explain to the Committee the practice of the Metropolitan Board of Works with regard to the erection of buildings under the circumstances referred to. When persons came to them who wanted to bring their frontages forward, and it was pointed out that the street was crowded and required rectification, the Board would say—"If you can arrange with other persons and give up a little bit of land, you may bring your buildings forward." But they had found after the promise had been given, and the applicants had brought their buildings forward, that when the Board asked for a redemption of the promise, this was absolutely declined, and, at the same time, it was said that the powers of the Board had been exceeded. He thought, with regard to the Amendment, that it was very hard to be asked for compensation by persons who were receiving a benefit which, in point of value, was as great as the land they were asked to give up.

MR. A. J. BALFOUR said, the argument of the hon. and learned Solicitor General amounted to this. Because, under the law as it at present stood, the Metropolitan Board of Works had power to prevent altogether the erection of certain buildings on freehold land, the owner was not entitled to compensation, and it was, therefore, unnecessary to introduce into this clause any provision for giving compensation. But he (Mr. Balfour) objected to the practice of the Metropolitan Board of Works, as admitted by the hon. and gallant Member for Truro (Sir James M'Garel-Hogg), as to the making of conditions with persons desirous of building on their own land, inasmuch as it appeared that the powers of the Board to prevent a man building on his freehold were applied for the purpose of screwing out of him something for the public use. Either it was against the public interest that a man should build in the manner indicated, or it was not. If it was not in the public interest that he should do so, he contended that the Metropolitan Board of Works ought not to make the power which they had of preventing him an instrument of torture for extracting some concession from him. If it was not contrary to the public interest, he was entitled to use his rights as proprietor, and if he was not allowed to do this he ought to get compensation, as suggested by the hon. Member for Greenwich (Mr. Boord).

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, there appeared to be some little confusion as to the position of the Metropolitan Board of Works in relation to this matter. The Board already had full discretion as to whether they would or would not give their consent to the erection of certain buildings. The present proposal was to enable them to consent on certain conditions, if they thought fit to do so in the public interest. One could not see, under these circumstances, for what the owner was to get compensation. If the Metropolitan Board of Works agreed to a man's proposal to build in the way contemplated by the clause, they were then consenting to enable him to do something which he could not do before. Why, then, should he be compensated?

MR. A. J. BALFOUR pointed out that his object in supporting the Amendment of the hon. Member for Greenwich was to prevent the Metropolitan Board of Works gratuitously and arbitrarily preventing a man doing what he would otherwise be able to do, unless they got something out of him. He held that the clause, as it stood, amounted to an encouragement to the Metropolitan Board of Works to exercise the arbitrary power of forbidding, in order to get out of the owner of the property something for the benefit of the public.

SIR JAMES M'GAREL-HOGG said, it was the duty of the Metropolitan Board of Works to look to the interest of the public; they had no other interest in the matter; which, so far as the public interest was concerned, was one of give-and-take. An applicant came forward, wanting to build, and his proposal was agreed to on conditions which were necessary for the public interest.

MR. FIRTH asked on what terms the consent of the Board was given at that time?

SIR JAMES M'GAREL-HOGG said, the terms varied according to the circumstances of the case.

MR. BOORD said, he was under the impression that a case had been granted by one of the Metropolitan Police Magistrates, although, not having the particulars in his possession, he was unable to refer to it in detail. He believed that the right of the Metropolitan Board of Works to affix conditions to their consent had been the subject of dispute before a magistrate, who had granted a case. Now, it was while the decision of that case was pending that the present Bill had been introduced; and, if he was not wrong in his supposition, it was intended to forestall the decision on the point which some day might be expected. It was for this reason that he proposed the Amendment now before the Committee.

Mr. WARTON remarked, that the hon. and learned Solicitor General had made two speeches in the course of the discussion upon the Amendment before the Committee. His argument in the first speech in answer to the proposal to compensate the owner of land for the conditions imposed on him by the Metropolitan Board of Works amounted to this—that persons who were entitled to compensation were not to get it, because there was nothing in the Amendment as to the form or mode of compensation. It was too nice an argument to say that because the whole plan and method of compensation was not described the subject was to be dismissed altogether; and he entirely dissented from this view of the matter. The clause they were asked to pass, in its present form, involved a very important principle; and it must not be forgotten that the Bill, from its first introduction, had been hurried along at a great pace. Under these circumstances, he thought it well that owners of property on both sides of the House should bestow a due amount of consideration upon what was taking place. The Metropolitan Board of Works was, probably, not different in its character and objects from other Boards of Works, and a few years ago he received a notice which gave some idea of what those objects were. "The object of all Boards of Works"—so ran the document—"is to widen roads, regardless of the rights of property." They cared nothing for the rights of anybody at all, and they flourished on the property of others. With regard to the widening of roads, it was often the case that the roads contained two sorts of houses, with forecourts varying, perhaps, from 20 to 100 feet. He asked whether the rights of property were to be dependent on the line which the Surveyor to the Metropolitan Board of Works chose to call the general line? Again, in his second speech, the hon. and learned Solicitor General asked what the owner was to be compensated for? The answer to that was quite clear. The Metropolitan Board of Works said to the owner—"You can only go a certain distance, because it is our pleasure, and you must give up a piece of your land if we allow you to go farther." It was on that ground that compensation was claimed; and because he considered the owner entitled to compensation he felt it his duty to support the Amendment of the hon. Member for Greenwich.

Mr. WHITLEY said, he wished to point out to the Committee that the clause now before them was to be found in every Municipal Act of Parliament of a kindred nature to this Bill. Every Municipality, in other words, was charged with powers similar to that provided for by the clause. It must be borne in mind that in various provincial localities the owners of property themselves had fixed the line of the streets, and that line it was necessary to preserve in the interest of all. A person by improperly bringing forward his frontage might injuriously affect the interest of every other owner of property in the street; and the Board of Works was the only body that could, by the exercise of the power vested in them, prevent gross injustice and damage being done to the property generally. He was convinced that it was right, in the interest of owners of property, that the powers of the clause should be conferred upon the Metropolitan Board of Works for the purpose of preventing one or two persons injuring all the property in a street by improperly bringing forward their frontages; and for that reason he trusted the clause would be allowed to pass in its present form.

Mr. FIRTH said, he had listened attentively to the remarks of the hon. Member who had just sat down, which, he was bound to say, had not even touched the question raised by the Amendment before the Committee. Supposing the interests of property were affected in the manner indicated by the hon. Member, a provincial public body would, of course, refuse their consent. But, with respect to this matter, the position in

London was different to that in the Provinces, inasmuch as in London the line of the street was constantly changing, and property was not affected in the way described by the hon. Member. He should be glad to receive an answer to this question—Why should a man be compelled to give up his garden for the purpose of widening a street without being paid for it?

SIR JAMES M'GAREL-HOGG said, there was no compulsion whatever in the case. It was simply a matter of favour to a person who came forward and asked to be allowed to do a certain thing for the Board to give their consent on certain conditions. As he had before pointed out, owners sometimes departed from the promises given by them and accepted by the Board as a condition of their being allowed to bring forward their frontages. He trusted the clause would be allowed to pass without alteration.

Amendment *negatived.*

Amendment proposed, in page 4, line 27, to leave out the words, "if they think fit."—(*Mr. Onslow.*)

Amendment *agreed to.*

MR. WARTON pointed out that the penalties referred to in the Proviso at the end of this clause related to a state of things entirely different from those to which penalties were applied in other portions of the Bill. To make the matter clear, he proposed to add some words, which he believed the Committee would see the propriety of agreeing to.

Amendment proposed, in page 4, line 41, after the word "penalty," insert "under this section."—(*Mr. Warton.*)

Amendment *agreed to.*

Amendment proposed, in page 4, line 42, to leave out the words "if they think proper."—(*Mr. Onslow.*)

Amendment *agreed to.*

MR. FIRTH said, he wished to ask a question bearing upon the recent observations of the hon. and gallant Member for Truro (Sir James M'Garel-Hogg). Many streets in London had houses in front of which were forecourts or gardens. Supposing he took, for the purpose of illustration, a street which had on one side of it 20 houses, 15 of which were brought forward. What would be the general or regular line? If it were that of the 15 houses, on what principle was it proposed to prevent the other five houses being brought into that line without the owners gave up their forecourts?

SIR JAMES M'GAREL-HOGG said, he should like to have an opportunity of looking into the matter before replying to the question of the hon. Member.

MR. FIRTH said, in that case it was clear that his hon. and gallant Friend was asking for legislation without knowing upon what it was based.

SIR JAMES M'GAREL-HOGG said, he was quite sure, in a case of the kind mentioned by the hon. Member, that the architect would see that proper attention was given to the circumstances.

MR. A. J. BALFOUR said, he had not been quite convinced by the argument which the hon. and learned Solicitor General had used against the proposal of his hon. Friend (Mr. Boord) to give compensation to owners compelled to give up portions of their property by the Board of Works. On the whole, he thought the best plan would be to strike the clause out of the Bill. The hon. Member for Liverpool (Mr. Whitley) seemed to think that if the clause were omitted it would be easier for the owner of a single house to do harm to the neighbouring property by thrusting it beyond the line of the street. But he would point out to the hon. Member that the evil was made easier by the adoption of the clause. The Board of Works had at present power to prevent this, and had, moreover, every motive to do so; but if the clause passed it was conceivable that it might be to the interest of the Board to allow an individual to injure the neighbouring property, because in exchange for their consent they would be enabled to extract from the owner of the peccant house, so to speak, some benefit in favour of the public. In order that the whole question might be reconsidered, and that the point as to who should pay compensation, and upon what terms it should be awarded, might receive the attention of his hon. and gallant Friend, he proposed to omit the clause from the Bill.

Motion made, and Question put, "That the Clause stand part of the Bill."

The Committee *divided:*—Ayes 20; Noes 6: Majority 14.—(Div. List, No. 80.)

And it appearing on the Division that 40 Members were not present in the Committee:

Mr. Speaker resumed the Chair:—House counted, and 40 Members not being present:

House adjourned at half after One o'clock till Monday next.

HOUSE OF LORDS,

Monday, 15th May, 1882.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Petty Sessions (Ireland) * (89); Roads Provisional Order (Edinburgh) * (78).

Second Reading—Committee negatived—Consolidated Fund (No. 3) *.

Committee—Militia Storehouses * (86); Commonable Rights * (73).

EGYPT (POLITICAL AFFAIRS).

QUESTION.

EARL DE LA WARR: My Lords, I wish to ask a Question, of which I gave private Notice on Friday, relative to the affairs of Egypt, Whether the noble Earl the Secretary of State for Foreign Affairs can give your Lordships any information upon the subject; and also whether he can state anything in regard to the policy of Her Majesty's Government?

EARL GRANVILLE: My Lords, I wished to give an answer to the Question of the noble Earl, and that wish could only be strengthened by the Notice of Question of the noble Marquess (the Marquess of Salisbury), who has a right to ask with authority for information. Your Lordships may or may not remember that, on the first day of the Session, I described the objects and policy of Her Majesty's Government with regard to Egypt. They were the maintenance of the Sovereign rights of the Sultan, of the position of the Khedive, and of the liberties of the Egyptian people under the Firmans of the Porte, the prudent development of their institutions, and the fulfilment of all international engagements, either on the part of England, or England and other Powers. Soon after this the Governments of England and of France described their policy in a formal document to the Powers, which will be presented in due time, in almost exactly the same words. This policy was also described in a despatch to Sir Edward Malet in November last, and in the dual Note addressed by the French and English Governments which has been presented to Parliament. My Lords, all the Powers unanimously agreed to adhere to this policy; and Turkey has, on more than one occasion, declared it to be her policy also—that the *status quo* should be maintained. The other Powers of Europe have admitted the preponderance of England and of France in Egypt. They look to these two Powers to take the initiative; but, on the other hand, they claim that any change in the present state of things is a matter which concerns all Europe, and that Europe cannot be excluded from the consideration of such changes. This claim has never been denied, and, indeed, has been cheerfully admitted by England and France. Some weeks ago the English and French Governments came to an agreement as to the mode of guarding against any infringement of the international engagements of Egypt in the course of the Constitutional changes which are being discussed. We communicated our conclusions to the Powers, who unanimously approved them. They would have been communicated at once to the Egyptian Government; but it was thought better to delay a little in consequence of the unstable position of Egyptian Ministers. Since then, on all points dealing with the present, the ultimate agreement between the two Powers has been complete. I may here be permitted by the noble Lord opposite (Lord Lamington) to answer by anticipation the Question of which he has given Notice, with regard to the report of a speech made by M. de Freycinet the other day. Though I think it is only natural that the noble Lord should put the Question, I must, in the first place, say that I find it quite sufficient to explain what I myself write or say, and that I must decline to explain the speeches of Ministers addressing their own Parliaments in foreign countries. But it happens that during a two hours' conversation with the French

Ambassador on Friday evening, I mentioned the Notice which the noble Lord had given. M. Tissot at once said that he was perfectly certain that M. de Freycinet had not claimed for France an isolated predominance in Egypt to the disparagement of the position of England. He has since been good enough to send me a letter, the translation of which I will venture to read to the House—

> "May 13.
>
> "My dear Count,—I informed M. de Freycinet yesterday of the sensation caused here by a certain sentence in his speech, and of the question which is to be addressed to you on Monday by Lord Lamington.
>
> "M. de Freycinet requests me to assure you that he never intended to separate the preponderance of France in Egypt from that of England. Another passage of his speech explicitly recognizes this community of influence, and the speech itself, taken as a whole, attributes to the two Powers so equal a share, that no one could misunderstand it. 'Nobody,' adds M. de Freycinet, 'has misunderstood it here.'
>
> "M. de Freycinet hopes that this frank explanation—which I gave you reason yesterday to anticipate—will enable you to reply to Lord Lamington without difficulty.
>
> "Believe me, &c.,
>
> "Ch. Tissot."

I think that explanation will be satisfactory to the noble Lord. I may say that the only chance of any definite and beneficial result arising from the joint action of England and France in Egypt depends entirely upon the loyalty of the respective Governments and their agents. During the last two years I have been in communication with four French Administrations and three French Foreign Secretaries on Egyptian matters. I am happy to acknowledge the perfect loyalty with which they have all three acted on Egyptian questions. I believe they would say the same of Her Majesty's Government. We have naturally had differences of opinion on subjects so difficult and so complicated; but instead of these differences being increased by frank intercommunications, they have been remarkably minimized. My Lords, some weeks ago we came to an agreement with France as to the course which we thought best to adopt to safeguard such international agreement from changes which were being made in the Constitution of Egypt. We communicated to the Powers, and they unanimously agreed to what we proposed. My Lords, since that time we have been constantly sending instructions to our agents in the same sense; our instructions to our agents have been all along in the same sense. During the last fortnight we have almost daily sent identical instructions to our Representatives. At this moment the position is much clearer than it has been, notwithstanding the great difficulties which still surround it. Tewfik Pasha was considered almost a model Prince up to the time of the first military demonstrations. Since then his course has been fraught with difficulty, opposed as he has been by the only armed force in the country, and what complicated matters was that for a time the action of the Army was represented as one of a national character. It was supported by the Notables. The Khedive, notwithstanding these difficulties, has lately shown great decision and energy in dealing with the situation, and the result of all the information got is that the country is now with him, and that the Notables, unless they get awed by physical force, wish to support him. In these circumstances, England and France have agreed to send orders to three British men-of-war at Corfu, and three French men-of-war in the Piræus, to rendezvous at Suda Bay, in order to proceed to Alexandria, where they will find that orders have preceded them. We have informed all the Powers and Turkey of this measure in support of the policy already agreed upon. England and France are agreed as to the steps necessary to mark our determination to maintain the principles of the policy which I have already described; and, further than this, there is a perfect understanding between the two Governments as to what is to be done in the case of certain possible contingencies, which I hope may not arise. Your Lordships will agree that it is obviously impossible for me, at the present moment, to give any indication of what that understanding may be. But I entertain the hope, and even more than a hope, that such contingencies will not occur, and that peace, order, and prosperity may be restored to Egypt without the employment of force.

The Marquess of SALISBURY: My Lords, I think there is nothing in the statement of the noble Earl to which I can take exception. Undoubtedly, the affairs of Egypt are in a very critical condition, and it is very desirable that the principles by which Her Majesty's Government are to be guided should be clearly laid down, and consistently followed. There are two main points, as it appears to me, which the Government is bound to keep in mind; and the first has reference to our position as regards France. I quite concur with the noble Earl that all hopes of beneficial action depend upon the cordial co-operation of the Governments and the agents of the two countries; for that cordial co-operation it is necessary that no misunderstanding as to the relative position of the two Powers should exist; and I hope that M. de Freycinet is as fully convinced as we are that England cannot admit that any other Power has a superior interest to our own in the position and the government of Egypt. With respect to Egypt itself, it appears to me that Her Majesty's Government, both by the engagements which they themselves have entered into, and by the engagements which they have necessarily inherited from their Predecessors, are bound to give their support to the present Viceroy of Egypt, so long as his government is in accordance with the principles which they approve. They are bound to give him that support, not merely as a matter of sentiment, not merely in words or in notes, but in something stronger if the need should arise. We know there are important authorities in this country who hold by the modern theory that force is no remedy. I believe that in this country that doctrine is less popular than it was; at all events, I presume England will not be inclined to erect it into a maxim in the conduct of foreign affairs. Whatever measures Her Majesty's Government may be inclined to adopt, whatever policy they may pursue, whatever language they may hold, these things will have no effect whatever upon the population of Egypt or upon the intriguing men who have laid hold of supreme power in that country, unless it is well known that, behind all these words, there is the possibility, nay, the certainty, of deeds. I earnestly trust with the noble Earl that no occasion may arise for solving the Egyptian difficulty by the sword; but we can hope to avert that dread necessity only by its being well understood that the sword is there, and what sword it will be. Of course, that is a matter which Her Majesty's Government has considered, and in respect to which I trust they have come to a right conclusion. I do not wish to embarrass Her Majesty's Government by my criticism; but I hold that the affairs of Egypt are of such supreme importance to this country that a man would be a bad patriot and a bad citizen who allowed any Party feeling to influence the discussion of them. In my judgment—and I have not concealed it—if the sword must be used, it should be the sword of Turkey; that is the best arrangement that could be adopted. The worst arrangement that could be adopted would be to use the sword of France; and any Ministry would be deserving of serious condemnation who gave permission for that alternative, without taking the most stringent material guarantees for the interests of this country. In saying that, I do not intend to insinuate that I suspect the noble Earl of consenting to any such arrangement. I am happy to believe that the noble Earl follows the Palmerstonian, and not the Gladstonian tradition; and I look forward without any apprehension to the decision to which in the case of the contingency we all deprecate he will think it his duty to come. I will only say, in conclusion, I believe that in the case of any difficulty arising, he may count upon the assistance and support of all Parties in this country, so long as he maintains as his cardinal principle of action that the authority of England in the affairs of Egypt is to be not less than that of any other Power whatever.

Lord LAMINGTON said, that the noble Earl the Secretary of State for Foreign Affairs had practically answered the Question of which he had given Notice. He contended that France had not that paramount interest in Egypt as compared with other Powers which had been claimed by implication by the French Prime Minister. He believed there were more Italians than Frenchmen in Egypt, while 79 out of every 100 vessels that passed through the Suez Canal carried the English flag. Although he agreed in the policy of acting in conformity and union with France, still, at the same time, he was of opinion, looking to India and the Australian Colonies, that in this crisis Her Majesty's Government must be prepared to take a very decided course of action.

LORD STRATHEDEN AND CAMPBELL said, that after the statement that had been made by the noble Earl the Secretary of State for Foreign Affairs, he did not think it necessary to proceed with the Notice which stood in his name on the Paper.

COUNTY BOUNDARIES.

MOTION FOR AN ADDRESS.

EARL BEAUCHAMP, in rising to move—

> "That an humble Address be presented to Her Majesty praying Her Majesty to issue a Royal Commission to inquire into the best means of adjusting the boundaries of counties in England and Wales,"

said, that, in his opinion, the counties, as they at present existed, formed the best area for local administration, although their boundaries, in some instances, required re-adjustment. If those boundaries were re-adjusted in a common-sense way a very large step would have been taken towards the improvement of the present administration of local affairs. In many counties of England detached portions were situate which belonged to other counties. The county of Worcester suffered in a remarkable degree in this respect. Altogether in England there were 44 detached parts of counties wholly surrounded by other counties than those to which they belonged. Again, many counties had large promontories, as he would call them, running out into other counties. Another source of confusion arose from the fact that many parishes were in two counties. Great inconvenience and harm were caused by this state of things. He thought their Lordships would agree that the inconvenience of a parish being in two counties was one which should no longer be allowed to exist. It was true that some provisions were made in the Highway Acts to obviate these inconveniences; but they were inadequate for the purpose. Certain Acts having reference to the county of Worcester had been passed with the same end in view. But all these measures were insufficient to meet all the evils arising from the present confusion of boundaries. In Devonshire, for instance, he found that 15 out of 20 parishes were in more than one county, and a like complication existed in many other counties. If a new measure of local government in counties was to be introduced, it was especially important that the areas of parishes should be so arranged as to facilitate and not to impede local government. The noble Earl concluded by proposing the Motion which stood in his name.

Moved, "That an humble Address be presented to Her Majesty praying Her Majesty to issue a Royal Commission to inquire into the best means of adjusting the boundaries of counties in England and Wales."—(*The Earl Beauchamp.*)

LORD CARRINGTON said, that, although Her Majesty's Government were unable to agree to the Motion of the noble Earl, they were under considerable obligation to him for bringing forward this most important subject. It was one which had long occupied the attention of Parliament. In 1834 detached portions of parishes situate in counties to which they did not belong were attached to those counties. In 1844 they were given over for all county purposes, and a total of 146,000 acres and a population of 54,000, as it were, changed hands. By Acts passed in 1854 and 1861, the Local Government Board could annex parishes overlapping counties—which did not exceed 100—to adjoining parishes, or could constitute them separate parishes, and were now engaged in doing so. As regarded Unions, they might dissolve them, or add or take away parishes at pleasure. In 1873 a Select Committee was appointed to take evidence on this subject. A great deal of evidence was given with regard to bringing Unions into the county; but they made no recommendation. In 1880 a Bill was brought into the House of Commons by Lord Edmond Fitzmaurice and others for the purpose of appointing a Commission for the rearrangement of boundaries, so that no Union should be without the county boundary. That Bill was withdrawn; but during the present year another Bill had been brought in requiring the Local Government Board to submit schemes for this purpose to Parliament. The Local Government Board now had in their possession all information about divided parishes, and how far it was practicable to bring Unions into county boundaries. In fact, they had every information that could possibly be wanted. He asked, therefore, what benefit would then be gained if the Motion of the noble Earl were agreed to? His speech itself, with all its detail, all its figures, and all its facts, was conclusive evidence that no more information was wanted. An inquiry of that kind would be a lengthy and costly one, and no real good could be done by appointing a Commission to collect information which was already in the possession of the Government. Was it likely that they would arrive at any new conclusion? And, as these recommendations would not have that weight which would attach to a scheme prepared by a well-constituted county authority like a County Board, the best course was to wait till such an authority was constituted, which would be able, with the central authority, not only to inquire into, but to deal effectually with, the whole subject. Under these circumstances, he earnestly trusted their Lordships would not agree to the Motion of the noble Earl.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES) said, he hoped the Motion of the noble Earl would not be agreed to. He did not think that any good would come of the inquiry. He had been for many years Chairman of a Board of Guardians, the parishes composing which were situated in three counties; but the Board never experienced the slightest inconvenience therefrom. There might be some small matters of detail in which a rectification of the boundaries might be desirable; but they were not sufficient to justify the issue of a Royal Commission. Moreover, a large number of persons would strongly object to having their counties changed. People often took a pride in belonging to this or that county, and would not like to be transferred to another county against their will.

THE DUKE OF RICHMOND AND GORDON said, that although he thought the subject a very important one, he wished to ask his noble Friend not to give the House the trouble of dividing. He believed, notwithstanding what had fallen from the noble Earl who spoke last, that great inconvenience did arise from the present system; and thus far he was quite ready to agree with his noble Friend (Earl Beauchamp). The noble Lord opposite who represented the Government on that occasion (Lord Carrington) had given as a reason for not assenting to the Royal Commission that the Local Government Board had every information they could possibly want. That appeared to him (the Duke of Richmond and Gordon) to be just the reason why the Motion should be assented to. But he thought that, considering that a measure was actually under the consideration of the other House—the Bill having been read a first time—which dealt with the subject, there would be no necessity, at this particular time, for the Commission for which the noble Earl had moved. He believed that it was unwise to resort to the course of appointing Royal Commissions more than was absolutely necessary; and he trusted, therefore, that his noble Friend would be satisfied with the very lucid statement he had made being put before the country, showing, as it did, the great inconveniences which attached to the present system.

THE EARL OF KIMBERLEY said, he wished to be allowed to join the noble Duke in asking his noble Friend not to press his Motion to a division. He did not think there was any serious difference of opinion between them on the subject. He apprehended that the noble Earl at the Table was an exception in that respect. A re-adjustment of boundaries was, no doubt, very desirable; but the Motion then before them was one, not for a Commission to make changes in boundaries, but to inquire into the best means of doing so. But they had been inquiring for a considerable time. There were, in fact, few subjects with which those who took an interest in those matters were more familiar, or of which the details were more accurately known. But what they wanted now was some action in the matter. He could only say, on behalf of the Government, that they had hoped before this to deal with the question, along with the larger one of county government; but that hope had been frustrated. They trusted, however, before another year elapsed, to be able to deal with the subject. He was quite certain that the subject of boundaries must be dealt with with the more important one of county government, and that was the direction in which the Government wished, as soon as possible, to move. He hoped his noble Friend would allow the Motion to be withdrawn.

Motion (by leave of the House) *withdrawn.*

SUNDAY OPENING OF NATIONAL MUSEUMS AND GALLERIES.

OBSERVATIONS.

Viscount POWERSCOURT, who had given Notice that he would move for any information which might have reached Her Majesty's Government as to any desire on the part of the inhabitants of any district that such Government Institutions as were now opened on Sunday should be closed on that day, said, he wished to know if any feeling had been publicly expressed, on the part of the working classes, against the opening of such Government Institutions as were now open on Sunday, as the Picture Galleries at Hampton Court and the Botanical Gardens at Kew? In the case of the Dublin National Gallery, he noticed that the statistics of attendance showed that nearly as many people went there on Sundays as on the whole of the other days of the week put together. As, however, the matter would be brought before the other House shortly, it was not his intention to discuss it on the present occasion; but he should content himself with calling attention to the Resolution which stood in his name.

The Earl of ROSEBERY said, there was no information in the hands of Her Majesty's Government on the subject to which the noble Viscount referred.

House adjourned at half past Five o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 15*th May*, 1882.

MINUTES.] — Select Committees — Public Accounts, *nominated;* Printing, *appointed* and *nominated.*

Supply — *considered in Committee* — *Resolutions* [May 12] *reported.*

Public Bills — *Ordered* — *First Reading* — Local Government Provisional Order (Artizans' and Labourers' Dwellings) * [162]; Arrears of Rent (Ireland) [163].

Second Reading — Public Schools (Scotland) Teachers [153]; County Courts Act (1867) Amendment [146], *debate adjourned.*

Second Reading — *Referred to Select Committee* — Public Offices Site [111].

Referred to Select Committee — Artillery Ranges [125].

Committee — Parliamentary Elections (Corrupt and Illegal Practices) [21] — R.P.; County Courts (Ireland) [18] — R.P.

Third Reading — Inclosure (Arkleside) Provisional Order * [128]; Inclosure (Bettws Disserth) Provisional Order * [127]; Inclosure (Cefn Drawen) Provisional Order * [126]; Local Government (Ireland) Provisional Order * [138]; Gas Provisional Orders * [136]; Water Provisional Orders * [135].

QUESTIONS.

STATE OF IRELAND — DISTURBANCE AT KILLARNEY.

Mr. REDMOND asked Mr. Attorney General for Ireland, Whether his attention has been called to the following statement in the "Daily News" of May 3rd :—

> "A very curious and high-handed proceeding is reported from Killarney. It is stated that while the people were expressing their joy at the release of Mr. Parnell, the police, acting on the authority of Captain Plunkett, R.M. dispersed them with their batons, and destroyed the big drum of the local band, which was playing at the time;"

and, whether he has taken any steps to prevent any such interference with the people in the future?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): Sir, on the night of the 2nd instant a riotous and disorderly mob, accompanied by two bands, paraded the streets of Killarney, and a hostile feeling was exhibited towards the persons who did not illuminate their houses on the occasion. The magistrate responsible for the preservation of the peace of the town ordered the police to call upon the bands to retire and the mob to disperse. One of the bands very properly did retire quietly; but the other band rushed forward, and the police were pelted with stones, and in quelling the disturbance and clearing the streets the drum was broken. The lawful playing of bands is not to be interfered with; but, under the circumstances of this case, the Government do not propose to take any further steps in the matter. It is the duty of all magistrates to keep the peace of the town, and, of course, the law must be obeyed.

Mr. REDMOND: Could the right hon. and learned Gentleman say if any of the people were seriously injured by the police using their batons upon them?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): I have no information as to that; but I am informed the police were pelted with stones by the people.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR. E. J. HOARE.

Mr. REDMOND asked Mr. Attorney General for Ireland, Whether it is a fact that Mr. E. J. Hoare, at present a suspect in Kilkenny Gaol, was during his former imprisonment in Naas Gaol occupied upon literary work; whether, on his release from Naas, his private papers, manuscripts, and various documents were detained by the authorities; and, whether he will order these papers to be at once restored to him?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): Sir, when Mr. Hoare was about to be discharged from Naas Prison, the Governor found upon him a few scraps of paper containing memoranda relative to the Land League. The Governor objected to Mr. Hoare taking away the papers, and Mr. Hoare thought so little about them that he told the Governor to burn them.

POST OFFICE—TELEGRAPHIC COMMUNICATION BETWEEN ENGLAND AND FRANCE.

Sir EDWARD WATKIN asked the Postmaster General, Whether the concession to the Sub-Marine Telegraph Company for laying cables between England and France would bar the Post Office from assenting (with or without the concert of the French Government) to the laying of cables between the English Coast and the Varne Lightship, and the Lighthouse on Cape Grinez, for the special purposes of enabling shore warnings in cases of ships seen to be in distress in the Channel; and, whether, if private persons are ready, at their own cost, to lay any such cables, he would give consent accordingly?

Mr. FAWCETT: Sir, the concession held by the Sub-Marine Telegraph Company does bar the Post Office from assenting to the laying of such cables as those referred to in my hon. Friend's Question.

STATE OF IRELAND—THE DISTURBANCES AT BALLINA.

Mr. O'CONNOR POWER asked Mr. Attorney General for Ireland, If he will explain to the House the circumstances attending the recent affray between the people and the police at Ballina, county Mayo, in which several young children were dangerously wounded while forming part of a children's band engaged in playing through the streets; and, whether, having in view the previous imprudent conduct of Sub-Inspector Ball in making a needless search for arms in the houses of several of the most respectable and peaceable inhabitants of Ballina, together with his recent conduct in directing the police to fire upon the children's band of that town, the Government will now consider the advisability of ordering his removal from a district remarkable for the usual good order and tranquillity of its inhabitants?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): Sir, I am informed that Sub-Inspector Ball has been relieved from duty for the present, and has been granted leave of absence; and, under the circumstances, I must request the House and the hon. and learned Member for Mayo to permit me, in the public interest, to decline, at the present moment, giving any further answer to the Question.

IRELAND—PROSELYTISM AT THE COUNTY INFIRMARY, KILKENNY.

Mr. M'COAN (for Mr. Marum) asked Mr. Attorney General for Ireland, Whether his attention has been called to attempts at proselytism, upon Roman Catholic patients, at the public institution of the County Infirmary of Kilkenny, which is mainly supported by public rates, to the extent of £700 per annum, levied upon the occupiers of land, and, whereas 95 per cent of the population is Roman Catholic, yet such taxation is disbursed as aforesaid by grand jury panels; and, whether Her Majesty's Government, now paying a supplemental grant of £89 per annum towards salaries of officers of this Infirmary, will institute an official inquiry into the sectarian appointments and management of this public institution?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): Sir, a sum of £89 1*s.* 10*d.* per annum is paid by Government to the Kilkenny County Infirmary, in common with some other infirmaries in Ireland, under 14 & 15 *Vict.*, c. 68, so long as the medical officers holding office at the time of the passing of that Act continue in office. No representations relative to sectarian appointments of officers or to the management of this institution have been made to the Government.

CUSTOMS RE-ORGANIZATION — THE NEW WAREHOUSING SCHEME—RETIRED CLERKS—THE OUTDOOR DEPARTMENT.

MR. BRYCE asked the Financial Secretary to the Treasury, Whether he can now inform the House what progress has been made in providing for the case of those clerks and officers in Her Majesty's Customs who are affected by the reorganization now being carried out in that Department; whether, terms of retirement having been offered to and accepted by most of the older members of the Clerical Staff, it is intended to offer similar terms to members of the Outdoor Department; and, whether, as it is reported that the high posts have been offered to redundant clerks in such a way as to place them over the heads of members of the Outdoor Staff senior in standing, some assurance can be given that the rights to promotion of the Outdoor Staff will not be prejudiced by the changes now in progress?

MR. COURTNEY: Sir, the arrangements for providing for the displaced clerks are now nearly complete, and the new system will be introduced on June 1. There is no intention of offering special terms of retirement to the Outdoor Department, as no reason exists for so doing. The prospect of members of the Outdoor Department have certainly not been injured by the change, as the places to which they can be promoted have been increased in the same proportion, roughly speaking, as the class from which they are promoted.

LAND LAW (IRELAND) ACT, 1881—THE SUB-COMMISSIONERS' COURT, CO. LONGFORD.

MR. JUSTIN M'CARTHY asked Mr. Attorney General for Ireland, Whether he is aware that several tenants on the Blackall Estate, in Longford County, applied on the 11th of last November to the Land Court to have their rents fixed, having previously offered to settle out of Court, and whether, although Land Courts have sat in Granard at least twice since then, those applications have not yet been ever "listed;" and, whether the Government can take any steps to protect those tenants from eviction during the long interval that seems likely to elapse before their applications come to be dealt with by the Land Court?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Sir, ten of Major Blackall's tenants in the Poor Law Union of Granard have applied to the Land Court to have fair rents fixed. Their cases will be "listed" for the next sittings at Granard, the prior applications having been nearly all disposed of.

MR. JUSTIN M'CARTHY asked if the tenants had not served the originating notices on November 11 last?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, there were 352 cases from the district lodged prior to these cases, and, of course, they would be heard before them.

MR. JUSTIN M'CARTHY asked Mr. Attorney General for Ireland, Whether his attention has been called to the decision given by the Land Commission in the case of the Keel Mountain tenants in Longford County; whether the ruling of the majority of the Commissioners affirmed that in cases in which the landlord borrowed money from the Board of Works to be expended in drainage, and charged the tenants 6½ per cent for the money, which amount was paid by them for 17 years, the improvement is wholly the property of the landlord, and is not to be taken into account in fixing the judicial rent which the tenants are to pay for the future; and, whether he will recommend such an amendment of the Land Act as will secure tenants against loss of this character?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Sir, there is no record in the Land Commission, so far as I can ascertain, of the decision stated in the Question. The Schedule to the Orders of the Longford Sub-Commission, in the case of the Keel Mountain tenants, states that certain drainage improvements belonged to the landlord. Beyond that, I can give no information; but, of course, if that Order is erroneous, it should be reviewed on appeal.

ROADS AND STREETS (METROPOLIS).

SIR EARDLEY WILMOT asked the President of the Local Government Board, Whether, having regard to the unsatisfactory condition of many of the streets and roads of the Metropolis, Her Majesty's Government will consider the desirability of appointing a General Inspector of Roads, with assistants, for the Metropolitan districts, whose duty it should be to see that the construction and repairs of the streets and roads of the Metropolis, except those under the control of the Chief Commissioner of Works, and of the Metropolitan Board of Works, are efficiently carried out; or whether they will adopt other measures for that purpose?

Mr. DODSON, in reply, said, that the appointment of a General Inspector to overlook the roads of the Metropolis did not appear to him to be a matter which should be undertaken by the central Government. Probably the wishes of the hon. Member would be fulfilled when all the highways of the Metropolis should be controlled by the same authority. In that case, their management would become uniform, without the necessity of any special provision for an exceptional appointment.

AGRICULTURAL HOLDINGS, NOTICES OF REMOVAL (SCOTLAND) BILL.

Sir ALEXANDER GORDON asked the honourable Member for the Falkirk Burghs, Whether he will remove the notice of opposition against the Agricultural Holdings, Notices of Removal (Scotland) Bill, going into Committee after half-past Twelve, which he has placed on the Notice Paper for Thursday next?

Mr. RAMSAY, in reply, said, he could only say that, in his opinion, the Bill referred to left the existing law as to removals in force; and as it was understood that the Government intended, as soon as practicable, to introduce a measure regarding land in Scotland, he did not feel that the existing relations of owners and occupiers should be annually changed; and he could not, in the meantime, see his way to withdraw the Notice of Motion which stood in his name.

MERCANTILE MARINE—THE INTERNATIONAL SAILING CODE—THE "CITY OF MECCA."

Mr. ANDERSON asked the Under Secretary of State for Foreign Affairs, If it be the fact that a judgment of the Portuguese Courts has been given in direct violation of one of the rules of the International Sailing Code, to the serious injury of British subjects; and if it is true that Her Majesty's Government has demanded an International Arbitration, and that it has been refused; and, if he can yet say what steps Her Majesty's Government will take to vindicate the Code, and obtain reparation for the injury done; and, if that is not yet decided, if in the meantime he will lay the Papers upon the Table?

Sir CHARLES W. DILKE: Sir, in the opinion of Her Majesty's Government, the judgment of the Portuguese Courts in the case of the *City of Mecca* is not in harmony with the International Sailing Rules. It is true that the Portuguese Government have refused to submit the case to arbitration, as proposed by Her Majesty's Government. The Papers will be laid before the House as soon as they can conveniently be given; but the future action of the Government is a matter I cannot yet state to the House, because the reply lately received from the Portuguese Government has first to be considered in communication with the Law Officers of the Crown.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—CAPTAIN DUGMORE.

Sir HENRY FLETCHER asked the Secretary of State for War, Whether Captain Dugmore, late of the 64th Regiment, is now confined in Tullamore Gaol for not giving securities for good behaviour; whether he is still in the receipt of half-pay; and, whether, having regard to Captain Dugmore's recent conduct, he intends to recommend Her Majesty to have his name removed from the Army? The hon. and gallant Baronet also asked, Whether the attention of the right hon. Gentleman has been drawn to the remarks of the Lord Chief Justice of Ireland, reported in the "Times" on Saturday, when refusing to grant a writ of *certiorari*, applied for in order that the indictment against Captain Dugmore for inciting the people not to pay rent might be quashed?

Mr. HEALY: Sir, before the right hon. Gentleman answers the Question, I would like to ask him whether he has heard that the reason of Captain Dugmore's refusal to give security in this case is, that it would amount to an admission that he had cemmitted some crime?

MR. CHILDERS: Sir, I can give no information as to the Question of the hon. Member for Wexford (Mr. Healy). As to the other Question, it is true that Captain Dugmore is now confined in Tullamore Gaol. He is not in receipt of half pay, having retired from the Army in July last; but he has been since that date in receipt of retired pay as a retired officer. This, however, has now been suspended; and I am at present in communication with the Irish Government as to the proper course to be pursued towards him. Until I received the hon. and gallant Baronet's letter yesterday, I had not read the statement in *The Times* newspaper on which the hon. and gallant Baronet founds the latter part of his Question. Of course, the Government would not act on newspaper reports, but on official information.

AFRICA (SOUTH) — CETEWAYO, EX-KING OF ZULULAND—FUTURE POSITION AND VISIT TO ENGLAND.

MR. PULESTON asked the Under Secretary of State for the Colonies, Whether any determination has been come to affecting the future position of Cetewayo; and, whether he is shortly to visit this country?

MR. EVELYN ASHLEY: Sir Henry Bulwer having informed Her Majesty's Government that the report of Cetewayo's intended visit to this country has been used for purposes of intrigue and agitation in Zululand, and that his visit at the present time would interfere with the consideration of the future policy to be pursued in that country, Her Majesty's Government have felt themselves compelled to postpone it. With reference to the other part of the Question, no decision has been come to as to any change in his position.

SUPPLY—NAVY ESTIMATES.

MR. PULESTON asked the Secretary to the Admiralty, Whether arrangements have now been made for taking Navy Estimates; and, whether the Government is prepared to set apart an early day for their discussion?

MR. CAMPBELL-BANNERMAN, in reply, said, he regretted to find, on inquiry, that it was impossible to fix a date for taking the Navy Estimates.

MR. PULESTON: Will the hon. Gentleman say when he will be able to state a day?

MR. CAMPBELL-BANNERMAN: I am unable to give any answer to the Question at present.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—PRISONERS DETAINED UNDER THE ACT.

MR. HEALY asked Mr. Attorney General for Ireland, Whether it is the fact that sixty-one prisoners are now confined in Cork Gaol without bail, because the Crown was not ready to try them at the last assizes; whether during the month of January these prisoners only got one hour's exercise out of the twenty-four; whether since then, while they have nominally got two hours, this period has very frequently been shortened by fifteen or twenty minutes; whether these two hours are badly apportioned, the first hour on week days being from half-past six to half-past seven a.m., and the second from two to three p.m., and on the Sundays from seven to eight and ten to eleven a.m., when the prisoners are locked up until Monday morning; whether he will ascertain if it is the fact that this confinement and want of exercise tells so much upon the prisoners that some of them would be glad to go upon the treadmill for exercise sake; whether, during the past month, the heating apparatus has been stopped; whether any of the men have been put upon bread and water, and placed in dark cells; and, if so, on what grounds, and how many of them have been so treated; whether it is the fact that, some days ago, the dinner supplied them by the Ladies' Land League was stopped because it was a few minutes late, and the men had to take gaol food; whether, until the last fortnight, the gaol authorities paid postage on the letters the prisoners wished to write to their families; whether this has now been stopped; and, if so, why the expense of postage was originally defrayed; whether it is the fact that, owing to the great number of these prisoners confined without bail, they have very little room to walk in the exercise yard; whether one of these yards is occasionally covered with mud; whether in both yards there are closets without any sewers, of which the prisoners complain; and, whether the Government can do anything to remedy this state of affairs?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Sir, the hon. Member asks me 14 Questions at once. In answer to the first paragraph, I have to say that 64 prisoners are now confined in Cork Gaol without bail. Of these, 45, I believe, were committed for treason-felony and crimes of violence and outrage, and are generally known as the "Moonlighters" from the Mill Street district. In reply to the second and third paragraphs, all these prisoners have had two hours' daily exercise since the 1st of last January, and that period has not been shortened—in fact, the two hours is exclusive of the time occupied in going to and returning from the exercise yard. In reply to the fourth paragraph, the exercise hours on week days are from 6.15 to 7.15 a.m., and from 4 to 5 p.m., and on Sundays from 7 to 8 a.m., and from 12 to 1 p.m. In reply to the fifth paragraph, the prisoners have not complained of insufficient exercise, and the medical officer has not found their health suffer. In reply to the sixth paragraph, the heating apparatus is discontinued in April each year, subject to the advice of the medical officer. In reply to the seventh paragraph, seven of these prisoners have been punished for repeated disobedience of the rules, in spite of cautions. In reply to the eighth paragraph, these, on one occasion, received prison food at dinner. The food sent to them did not arrive for nearly half-an-hour after dinner-time; but it was served out to them as a supper meal afterwards. In reply to the ninth and tenth paragraphs, the Governor is permitted to stamp letters for destitute prisoners only, and I am informed that that permission has been liberally used. In reply to the eleventh paragraph, I am informed, also, that there is ample room for the prisoners at exercise. In reply to the twelfth paragraph, it is not the fact that one of the exercise yards is occasionally covered with mud; and with respect to the rest of the Question, I am informed that the closets are all connected with pipe-laid sewers, and are constantly flushed and cleansed inside with gas-tar. I am told no complaints have been made by the prisoners, and I do not think there is anything calling for the interference of Government.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR. MARTIN MULLEAGUE.

MR. HEALY: I beg to ask Mr. Attorney General for Ireland, Whether it is the fact that Mr. Martin Mulleague, arrested on the 2nd July, and released on medical recommendation from Galway Gaol, was re-arrested on November 8th, and is still confined in Kilmainham; whether, during the whole of his incarceration, he has been under medical treatment; and, whether, as his district, Castlerea, county Roscommon, has been perfectly free from crime, his release can now be ordered?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON), in reply, said, it was a fact that a man of the name of Martin Mulleague was still in Kilmainham; but his case, as well as that of every person detained under the Protection Act, would be considered, and very probably at the present moment was under the consideration of His Excellency the Lord Lieutenant. It was also a fact that during his detention he made complaints of ailments, which were found not to be serious.

EGYPT (POLITICAL AFFAIRS).

SIR STAFFORD NORTHCOTE asked the Under Secretary of State for Foreign Affairs, Whether he can give the House any information as to the present position of affairs in Egypt; and when it will be in the power of the Government to explain the policy which they are pursuing in that country?

SIR CHARLES W. DILKE: Sir, in answer to the Question of the right hon. Baronet the Leader of the Opposition, I have to remind the House that, in January last, an Identic Instruction proposed by France was addressed to the English and French Agents in Egypt. It was to the effect that they should simultaneously make an identic declaration that the English and French Governments considered the maintenance of Tewfik Pasha on the Throne, on the terms laid down by the Sultan's Firmans, as the only certain means of guaranteeing in Egypt the good order and prosperity in which England and France were equally interested. The declaration proceeded to state that the two Governments, being closely associated in the resolve to guard, by their united efforts, against all cause of complication which might menace the order of things established in Egypt, did not doubt that the assurance publicly given of their formal intention in this respect would tend to avert the dangers to which the Government of the Khedive might be exposed, and which would certainly find England and France united to oppose them. On January 30, Her Majesty's Government fully stated their views as to the future to the Government of the French Republic in a most important despatch, which will ultimately be laid before Parliament, although it cannot be given at present. On February 6, Her Majesty's Government proposed that the English and French Governments should communicate with the other Powers their views as to the best means of maintaining the *status quo;* and on February 11 a Circular to that effect was sent to the various capitals. In March certain differences manifested themselves in the views of the English and French Governments; but the divergences which then existed are wholly at an end. During the present month the unconstitutional steps taken by the Ministers of the Khedive resulted in a most critical situation. This became the subject of an active interchange of views between Her Majesty's Government and the Government of the French Republic, with the happy result that the two Powers are now in absolute accord as to the steps to be taken in view of future eventualities which it is now hoped may not arise. The two Governments feel confident that the course agreed upon will meet with the assent of all the other Great Powers and of the Porte.

Mr. BOURKE: Are no further Papers to be laid upon the Table at present?

Sir. CHARLES W. DILKE: No; not at present.

Sir H. DRUMMOND WOLFF: I beg to ask the Under Secretary of State for Foreign Affairs, If he can state what steps Her Majesty's Government have taken to protect the lives and property of British subjects in Egypt during the present crisis?

Sir CHARLES W. DILKE: Sir, the English and French Fleets have gone to Suda Bay, on their way to Alexandria. Orders have already been sent to Suda Bay that they are at once to proceed to Alexandria.

Mr. ASHMEAD-BARTLETT: Can the hon. Baronet state, whether the assent of the Porte has been obtained to the course it is proposed to carry out?

Sir CHARLES W. DILKE, in reply, said, he had already stated that the English and French Governments were confident in the opinion that the course agreed upon would meet with the assent of the Turkish Government.

Mr. ASHMEAD-BARTLETT: But you have not yet received it?

Mr. O'DONNELL: Can the hon. Baronet state, whether, for the repression of disturbance in the interior of Egypt, the plan sketched out of a joint Anglo-French military expedition, or of a Turkish expedition, has been approved of, and forms one of the bases of the perfect accord between England and France?

Sir CHARLES W. DILKE: I must, Sir, with the permission of the House, decline to answer that Question.

Mr. ASHMEAD-BARTLETT subsequently asked the Under Secretary of State for Foreign Affairs, whether the assent of the four other Powers had been obtained to the proposed political intervention in Egypt?

Sir CHARLES W. DILKE, in reply, said, he had spoken of the other four Great Powers in his reply to the right hon. Baronet opposite (Sir Stafford Northcote), and he could make no further allusion to the subject.

LAW AND POLICE—MR. R. PENNINGTON—OUTRAGEOUS LANGUAGE.

Mr. HEALY asked the Secretary of State for the Home Department, If his attention has been called to a speech at Bolton, reported in the "Manchester Examiner" of 10th instant, by Mr. R. Pennington, who said, in moving a vote of confidence in the Conservative leaders:

> "If Joe Chamberlain had been stabbed in the Park he would have met with his just deserts. (Applause.) It was no use being mealy-mouthed about the matter;"

and, if he proposes taking any action in the matter?

Sir WILLIAM HARCOURT: Sir, my attention has been called to this matter by the Question of the hon.

Member opposite (Mr. Healy.) All I can say is, that if language of this kind has been employed, nothing could be more detestable, nothing could deserve greater condemnation, and, if possible, punishment. As to the latter part of the Question, the difficulty I am under at present is, that I have no authentic report of such a statement, and I am not aware that the person supposed to have used this language is a Justice of the Peace. If he should be so, the Lord Chancellor's attention will be instantly called to his conduct, if it proves to be well founded.

ENGLAND AND FRANCE—THE CHANNEL TUNNEL SCHEME.

MR. REDMOND asked the First Lord of the Treasury, When the Military Committee will report as to the means of destroying or defending the proposed Channel Tunnel; and, whether the noble Lord the Member for Flintshire, Secretary to the Treasury, has given evidence before that Committee in favour of making the tunnel project, of which he is chairman ?

MR. CHILDERS : Sir, I have been requested by my right hon. Friend the First Lord of the Treasury to answer the Question of the hon. Gentleman. The Committee now inquiring into the scientific questions in connection with the proposed Channel Tunnel is not a purely Military Committee. They will report, as I have fully explained to the House, as to the means of destroying the Tunnel and rendering it useless to an enemy; but after they have reported the purely military questions will be referred to the Military Advisers of the Government; but their inquiry is not yet complete. The noble Lord to whom the second part of the Question refers has given evidence before the Scientific Committee.

CUSTOMS AND INLAND REVENUE BILL, 1882—PATENT MIXTURES OF COFFEE AND VEGETABLE MATTER.

MR. REDMOND asked Mr. Chancellor of the Exchequer, Whether section six of "The Customs and Inland Revenue Bill, 1882," is intended to annul Letters Patent under and pursuant to which mixtures of coffee and vegetable matter are prepared and sold as such mixtures ?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GLADSTONE) : I am not aware, Sir, and the Revenue Department are not aware, of the existence of any patent rights such as are referred to in this Question; and I believe entirely that if such rights do exist they will come within the scope of the law. But I would recommend that, if there be such rights, their particular character should be brought under our notice, and an opportunity given of examining them.

IRELAND — IRISH POLICY OF THE GOVERNMENT — RELEASE OF MR. PARNELL AND OTHERS.

MR. PULESTON (for Mr. LEWIS) asked the First Lord of the Treasury, Whether he will now produce the documentary evidence of the intentions of the recently-imprisoned Members of this House with reference to their conduct if released from custody ; which evidence the First Lord of the Treasury stated had reached him through the late Chief Secretary ?

MR. GLADSTONE : Sir, the documentary evidence referred to in this Question consists of certain letters between Members of this House. Their production would not come under any usual Rule that I am aware of, and there is no reason at present why they should be produced ; in fact, I think it would be open to objection as tending to diminish the responsibility of Her Majesty's Government.

MR. PARNELL : Perhaps it may be better if I am permitted to read the letter in question—the letter which, as I understand, forms the documentary evidence alluded to in the Question. I will read it to the House. It consists of a letter from myself to the hon. Member for the County of Clare (Mr. O'Shea). It is headed "Private and Confidential." It is dated from Kilmainham, April 28th, 1882, and it is in the following terms :—

> "I was very sorry that you had left Albert Mansions before I reached London from Eltham, as I had wished to tell you that, after our conversation, I had made up my mind that it would be proper for me to put Mr. M'Carthy in possession of the views which I had previously communicated to you. I desire to impress upon you the absolute necessity of a settlement of the arrears question, which will leave no recurring sore connected with it behind, and which will enable us to show the smaller tenantry that they have been treated with justice and some

generosity. The proposal you have described to me, as suggested in some quarters, of making a loan over however many years the payment might be spread, should be absolutely rejected, for reasons which I have already fully explained to you. If the arrears question be settled upon the lines indicated by us, I have every confidence —a confidence shared by my Colleagues—that the exertions which we should be able to make, strenuously and unremittingly, would be effective in stopping outrages and intimidation of all kinds. As regards permanent legislation of an ameliorating character, I may say that the views which you always shared with me, as to the admission of leaseholders to the fair-rent clauses of the Act, are more confirmed than ever. So long as the flower of the Irish peasantry are kept outside the Act there cannot be the permanent settlement of the Land Act which we all so much desire. I should also strongly hope that some compromise might be arrived at this Session with regard to the amendment of the tenure clauses of the Land Act. It is unnecessary for me to dwell upon the enormous advantage to be derived from the full extension of the purchase clauses, which now seem practically to have been adopted by all parties. The accomplishment of the programme I have sketched out to you would, in my judgment, be regarded by the country as a practical settlement of the Land Question, and I believe that the Government at the end of this Session would, from the state of the country, feel themselves thoroughly justified in dispensing with further coercive measures.—Yours, very truly—"

Then follows my signature.

Lord JOHN MANNERS: I should like to ask the Prime Minister, whether the letter which we have just heard read by the hon. Member for the City of Cork (Mr. Parnell) is the only letter which constituted the documentary evidence referred to in the Question of the hon. Member for Londonderry?

Mr. W. E. FORSTER: Before the right hon. Gentleman answers that Question, might I be allowed to ask the hon. Member for the City of Cork (Mr. Parnell) did he read the whole of the letter?

Mr. PARNELL: I did not keep a copy of the letter in question. My hon. Friend the Member for Clare (Mr. O'Shea) has furnished me with a copy, and it may be possible that one paragraph has been omitted; but, speaking for myself, I have no objection to the hon. Member, if he desires it, communicating the whole of the letter as I wrote it to the House.

Mr. GLADSTONE: When I spoke in answer to the former Question, I spoke in the plural number; therefore, it would be obvious that I had some information over and above what was contained in that letter; nothing, however, I am bound to say, in the slightest degree qualifying or contradicting it.

Mr. WARTON: Might I ask the right hon. Gentleman, whether the second letter was one from the hon. and learned Member for Dundalk (Mr. Charles Russell) expressing his opinion?

Mr. O'SHEA: I think the best plan would be that I should take the earliest opportunity of explaining every detail in connection with this matter. [*Cries of* "Read, read!"] I have not the document with me, and am, therefore, unable to read it. [A document was here handed to the hon. Member, who had resumed his seat, by Mr. W. E. Forster.]

Mr. O'SHEA, again rising: A copy of the letter in question has been put in my hands. [*Cries of* "Read!"] I do not think it is fair ——

Mr. W. E. FORSTER: Read the last paragraph.

Mr. O'SHEA: Very well; I will read the whole letter. [The hon. Member then read the same letter as that read to the House by the hon. Member for the City of Cork (Mr. Parnell), the concluding paragraph of which was, however, in the following terms]:—

"The accomplishment of the programme I have sketched out to you would, in my judgment, be regarded by the country as a practical settlement of the Land Question, and would, I feel sure, enable us to co-operate cordially for the future with the Liberal Party in forwarding Liberal principles; and I believe that the Government at the end of the Session would, from the state of the country, feel themselves thoroughly justified in dispensing with future coercive measures."

Mr. T. P. O'CONNOR: Might I ask the right hon. Gentleman the late Chief Secretary for Ireland, whether he obtained the copy of the letter of my hon. Friend the Member for Cork City (Mr. Parnell) as a Member of the Cabinet of which he was recently a Member?

Mr. W. E. FORSTER not rising,

Mr. T. P. O'CONNOR: I will repeat the Question for the benefit of the right hon. Gentleman. [The hon. Member repeated the Question.]

Mr. W. E. FORSTER: The hon. Member for Clare —— [*Cries of* "Order, order!"]

Mr. SPEAKER: The hon. Member for Galway (Mr. T. P. O'Connor) is not entitled to ask that Question, because it does not relate to any Bill or Motion before the House.

Mr. ONSLOW: I wish to ask a Question, Sir, with reference to this letter, which has been written by the hon. Member for the City of Cork (Mr. Parnell). I wish to ask the Prime Minister, whether the right hon. Gentleman had seen that letter before he informed the House that no understanding whatever had arisen between himself and the hon. Member for the City of Cork prior to the liberation of the "suspects" from Kilmainham?

Mr. DILLWYN: May I ask the right hon. Gentleman the Prime Minister, whether any other correspondence passed between Her Majesty's Government and the hon. Member for the City of Cork?

Mr. GLADSTONE: Sir, I think if the hon. Member refers to the answer which I have just given to the noble Lord opposite (Lord John Manners), he will see that I stated that that was not the only letter which has been brought to my knowledge. With regard to the Question just put to me by the hon. Gentleman (Mr. Onslow), I had seen that letter. I did say, and I repeat now, that there never was the slightest understanding of any kind between the hon. Member for the City of Cork and the Government. The hon. Member for the City of Cork asked nothing from us, and he got nothing from us. On our side, we asked nothing, and got nothing from him.

Mr. RITCHIE: Do the "some quarters" referred to in the letter of the hon. Member for the City of Cork, from whence the proposition with reference to the arrears came, mean that it was from Her Majesty's Government?

Mr. GLADSTONE: No.

IRISH CHANCERY LEASES—DEPRIVATION OF COMPENSATION FOR IMPROVEMENTS.

Mr. HEALY asked the First Lord of the Treasury, Whether he is aware that in all Chancery leases, in the case of Chancery lettings, since the Land Act of 1870, a Clause has been inserted depriving tenants of all compensation for improvements; and, whether it has been practically decided that such tenants have no redress under the Land Act of 1881?

The SOLICITOR GENERAL for IRELAND (Mr. Porter) (for Mr. Gladstone), in reply, said, that the present form of Chancery leases did not contain any such provision as that alluded to by the hon. Member.

CUSTOMS RE-ORGANIZATION — THE NEW WAREHOUSING SCHEME — PROMOTION.

Mr. RITCHIE asked the Financial Secretary to the Treasury, Whether, under the new re-organization of the Customs, it is the case that Clerks now receiving £120 and £130 per annum, with seven years' service, are to be promoted to be First-Class Examining Officers at £230 per annum, over the heads of officials now serving as Examining Officers at £140 to £200 per annum, with from 18 to 30 years' service; also, Whether it is the fact that a Second-Class Examining Officer of the Customs, from an outport, has been promoted to be a First-Class Examining Officer in London over the heads of several Second-Class Examining Officers, now on the London establishment, who took higher places in the competitive examination at the time of their original appointments; and, if so, for what reason these officers have been passed over?

Mr. COURTNEY: Sir, the facts stated in the former part of the Question are substantially accurate. The clerks referred to are appointed to newly-created posts, and for the good of the Public Service. The increase of salaries they will receive partly represents increased hours of work. No injury is inflicted by their appointments on the present second-class examining officers. As regards the second part, it is true that certain second-class examining officers at the outports have, in the interest of the Public Service, been promoted to the first class in London. This has been done, because those officers have proved themselves better fitted for promotion than others, some of whom may have passed a better competitive examination on entering the Service.

POST OFFICE—MAIL TRAIN FROM BASINGSTOKE TO EXETER.

Mr. R. H. PAGET asked the Postmaster General, If, after consideration of the many memorials presented to him on the subject, he is able to give a favourable reply to the request for the establishment of a Mail Train by the London and South Western Railway from Basingstoke to Exeter?

MR. FAWCETT: Sir, in answer to the hon. Member, I beg to state that the matter referred to in his Question is receiving careful consideration; but that the inquiries which are being made on the subject cannot be completed for some little time. I can assure him that no unnecessary delay will be allowed to occur in arriving at a decision upon it.

IRELAND—REMOVAL OF PLACARDS AT PALLAS GREEN.

MR. DILLON asked Mr. Attorney General for Ireland, Whether, on Tuesday, at Doon, Pallas Green, county Limerick, the police tore down the placards containing Address, signed by Messrs. Parnell, Dillon, and Davitt, condemning the assassination, and calling on the people to aid in bringing murderers to justice; whether the police, on being questioned, said they acted under orders; and, whether Pallas Green is Mr. Clifford Lloyd's district; and, if so, what steps he proposes to take?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Sir, the Constabulary removed some of the placards referred to in this Question; but, on its coming to the notice of the authorities, the police were directed not to interfere with them; and I do not propose to take any further steps in the matter. I believe that, as a matter of fact, Pallas Green is in Mr. Lloyd's district.

LAND LAW (IRELAND) ACT, 1881—THE SUB-COMMISSIONERS.

MR. LEWIS asked Mr. Attorney General for Ireland, If it is true that Mr. Wylie, Chairman of the Sub-Commission now sitting in Tyrone to adjudicate upon rents, is a practising barrister on the Circuit of which Tyrone forms part; and, whether Mr. Cunninghame, another member of that Sub-Commission, is a manure and flour merchant (in Londonderry) having business connections with the tenantry of the county, whose rents he is appointed to judicially fix?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Sir, my friend Mr. Wylie, on acceptance of office as a legal Assistant Commissioner, ceased to practise as a barrister. Mr. Cunninghame is partner in a Derry firm of corn merchants, who also deal in flour; but, as a matter of course, since his appointment under the Land Commission, he has not taken any part in the management of the business of the firm. He states that he has no business connection whatever with the tenantry of Tyrone.

ARMY (INDIA)—SECOND LIEUTENANT COLONELS IN INDIA.

LORD EUSTACE CECIL asked the Secretary of State for India, Whether it is the case that Second Lieutenant Colonels of British regiments in India only receive Major's pay; if so, from what date this has been the practice; and, whether the reduction of their pay is to be temporary or permanent?

THE MARQUESS OF HARTINGTON: Sir, the noble Lord has been entirely misinformed. There has been no reduction in the pay of second lieutenant colonels. Second lieutenant colonels serving in India receive the same pay, and always have received the same pay, as first lieutenant colonels.

PARLIAMENT—BUSINESS OF THE HOUSE.

SIR STAFFORD NORTHCOTE: I wish to ask the right hon. Gentleman at the head of the Government, at what time he proposes to bring in the Arrears Bill? I also think it would be for the convenience of the House if he could give us some information as to the probable course of Business, and likewise as to the probable time of adjourning for the Whitsuntide Recess?

MR. GLADSTONE: Sir, with reference to the adjournment for the Whitsuntide holidays, it is not unreasonable that a Question should be put at this time on such a subject; but in view of the urgency of Irish Business at this moment, on which the House is likely to be engaged, I should like, with the permission of the House, to have a few days more before making an announcement on that matter. With regard to the two subjects—one very important, and the other part of the necessary Business of the year—I wish to say, as to the Customs and Inland Revenue Bill, that I believe it is not necessary, and I do not propose to take any steps with that Bill before Whitsuntide. It will suffice if we go on with it after the Recess. With respect to the important question of Procedure, although there might be the power of applying small intervals of time to the discussion of that question, I do not think that would be a convenient mode of proceeding; and on that account, and on that account only, I think it would be advantageous and more convenient to the House if we at once consider it as settled that no steps shall be taken on that matter until after Whitsuntide. As to the question of Arrears, I will proceed on the assumption that it is the desire of the House generally to know, with some exactness, what Her Majesty's Government intend to propose. But it is not a subject requiring any lengthened statement; consequently, I shall propose, at half-past 11, to ask the House to desist from the Business then in progress in order to allow that statement to be made.

Mr. STAVELEY HILL asked, when Members might expect to have copies of the Bill for the Prevention of Crime in Ireland.

Sir WILLIAM HARCOURT, in reply, said, he was told that there were a considerable number of copies in the Vote Office, and that they would be supplied that evening. He was bound to say, on behalf of the draftsmen, that they had worked day and night to get the Bill ready.

Mr. SCHREIBER asked the hon. Member for Northampton (Mr. Labouchere) whether, under the circumstances, he would proceed to-morrow with his Motion for the abolition of the House of Lords?

Mr. LABOUCHERE, in reply, said, that if the Motion were merely one of a theoretical character, he should not proceed with it to-morrow; but as, considering the circumstances, he thought it was an exceedingly practical Motion, he proposed to go on with it.

Sir STAFFORD NORTHCOTE asked, if it was intended to take a Morning Sitting to-morrow?

Mr. GLADSTONE said, that was the intention of the Government. The Business taken at the Morning Sitting would be the Orders that were to be proceeded with that evening.

ORDERS OF THE DAY.

Ordered, That the Orders of the Day subsequent to the Order for the Committee on the Ballot Act Continuance Bill be postponed until after the Notice of Motion relating to Arrears of Rent in Ireland.—(*Mr. Gladstone.*)

ORDER OF THE DAY.

PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.—[Bill 21.]

(*Mr. Attorney General, Secretary Sir William Harcourt, Mr. Chamberlain, Sir Charles Dilke, Mr. Solicitor General.*)

COMMITTEE. [*Progress 9th May.*]

[FIRST NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Corrupt Practices.

Clause 1 (What is treating).

Mr. WARTON proposed, in page 1, line 8, to leave out the words "such persons," and insert the words "the agents of candidates." It appeared to him that the clause as it stood went too far. It declared that—

> "Whereas under section four of the Corrupt Practices Prevention Act, 1854, persons other than candidates are not liable to any punishment for treating, and it is expedient to make such persons liable."

The following portion of the section, from lines 11 to 21 inclusive, were very large and wide. They made it possible that any person, utterly unconnected with the candidate in any way whatever, who might ask another person, who might ask somebody else, and so on *ad infinitum,* to supply or give food or refreshment or do something else—they made it possible to punish such persons for treating, and to render the vote of the elector who accepted refreshment void. It seemed to him that the real origin of corruption must be in the candidate himself; and his object in moving this Amendment was to punish the agents of candidates for treating; but not to make any person liable who was only a partizan without having the least connection with the candidate. Under the stringent meaning of this section every such person would be liable. The hon. and learned Attorney General knew perfectly well that the doctrine of agency in election matters had been extended far beyond what was ever known before. A man was an agent for the candidate whether he liked it or not—an involuntary agent, so to speak. There were numerous cases in which a man having been seen speaking to another man was immediately converted into an agent. At present the doctrine of agency had been pushed so far that it was most undesirable to extend it further. In point of fact, a very trifling act rendered a man guilty of treating as the law now stood. Not only was a candidate, and every agent he might directly appoint, liable, but every person whom they were seen speaking to for a single moment. If the Committee really wished to strike at corruption they should strike at it by means of the candidates themselves, and those who acted as their agents. They all knew what Party feeling was at an election time; that there were men who honourably devoted themselves to the interests of the Party; and it would be a very hard thing if a person in that position, talking with a friend about the election, or treating a friend at election time, having no connection whatever with the candidate, and no interest in the election beyond the success of his own political opinions, should be held, under the stringent provisions of this section, to have rendered himself liable to punishment for treating. If they drew the line so tight they would defeat the object they had in view. It was an overstrained piece of legislation, which sought to make people too virtuous. He was satisfied that any attempt to make the people too moral would entirely fail. He looked upon such stringent legislation as ridiculous and absurd, and he hoped the hon. and learned Attorney General would accept the Amendment.

Amendment proposed, in page 1, line 8, to leave out the words "such persons," and insert the words "the agents of candidates."—(*Mr. Warton.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

The ATTORNEY GENERAL (Sir Henry James) said, he was sorry that the first Amendment proposed was one that he could not accept; but he was sure the Committee would see that it was impossible he could accept the present one. The question of treating at elections was becoming every day a more serious question; and it was extending not only to Parliamentary, but to municipal elections. Municipal elections and Parliamentary elections were made to depend on each other; and if they stopped bribery, as he hoped they would succeed in doing by this Bill, care must be taken lest those who were restrained from bribing should be driven into employing a minor method of influencing the vote, by treating. Let the Committee see what it was that the Amendment of his hon. and learned Friend proposed. At present no person was held to be guilty of treating or corrupt practices except the candidate or his agents. Was it not necessary to guard against persons, who might not be proved to be agents, corrupting the constituency by opening the public-houses and treating indiscriminately? His hon. and learned Friend was wrong in the interpretation he had placed upon the clause. Before it could be constituted into an offence, it was necessary that proof should be given that the treating took place for the purpose of influencing an elector to give, or to refrain from giving, his vote; and, therefore, the act of any person in paying for drink or refreshment for a friend, or influences altogether apart from the election, would not be held to be treating at all. The drink or refreshments must have been given for the purpose of influencing the vote. His hon. and learned Friend asked the Committee by legislation to declare that a man who could not be proved to be an agent might treat as much as he liked; that he might open every public-house, and corrupt the voters as much as he could; and that unless it could be shown that he was an agent his acts should not be punishable. The clause proposed to punish persons other than the candidates and agents who were guilty of treating. The treating was equally dangerous, whether the person doing it could be proved to be an agent or not. Substantially, the clause kept the law as it was; and all the Committee was asked to do was to extend the law to the acts of other persons besides the candidate and his agents.

Sir R. ASSHETON CROSS remarked that upon this particular point he was unable to agree with his hon. and learned Friend behind him (Mr. Warton). He thought it was quite necessary that other persons besides the candidate and his agents should be punished if they were guilty of treating for the purpose of influencing the election. He should be much more with his hon. and learned Friend when the Committee came to deal with another part of the Bill, as to the way in which it was proposed to affect the candidate himself. There were various parts of the Bill that he entertained strong objections to; but he certainly could not support the present Amendment.

Mr. CAVENDISH BENTINCK said, he thought that the hon. and learned Attorney General had forgotten to read the latter part of the clause, because it went a great deal beyond influence. It applied not only to undue influence in regard to the elector, but to the

> "Influencing of any other person to give or refrain from giving his vote, or on account of such person or any other person having voted or refrained from voting, or being about to vote or refrain from voting at such election, or otherwise, for the purpose of promoting or procuring the election of a candidate at such election."

He thought that the clause was either great nonsense, or else it was one of the most stringent and tyrannical provisions he had ever read.

The ATTORNEY GENERAL (Sir Henry James) said, it was the old law.

Mr. CAVENDISH BENTINCK said, he would come to that point by-and-bye. He wanted to know what the hon. and learned Gentleman meant by the word "influence," because it was possible to influence a man in many ways besides giving him money? They might influence a person in standing as a candidate by offering him entertainment and provisions. No definition whatever was given in the Bill of what "entertainment or provision" was. By-and-bye he should have occasion to call the attention of the hon. and learned Gentleman to some questions in regard to "entertainment and provision" in regard to electioneering matters before an election, which he thought the hon. and learned Gentleman would find it difficult to answer. He only wished now to point out to the hon. and learned Gentleman that this clause, strong as the language was in which it was drawn, referred to matters before the election just as much as to those which occurred during the election. It was impossible to say whether a candidate who was asked to come down and stay at the house of a friend during the election, in order to avoid the inconvenience and expense of putting up at an hotel, might not have been participating in treating and corrupt practices. If that were not so let the hon. and learned Gentleman explain what it was that was really meant. He would take the case of a gentleman who desired to stand as a candidate, and a friend, who was an elector, said to him —"You cannot afford the expense of living at a public hotel during the time of the election; come and stay with me." If the candidate agreed to stay with his friend, it certainly might have an influence in the election; and if an Election Petition were presented against the return, both the candidate and his friends might be found guilty of corrupt practices. He did not at all mean to say that his hon. and learned Friend (Mr. Warton) would be altogether right in confining the question of treating simply to the candidate and his agents; but it was quite clear that the clause, as it was drawn, was far too wide in its terms. The net of the hon. and learned Attorney General was, however, much too widely spread; and if his hon. and learned Friend (Mr. Warton) took a division upon the subject, he (Mr. C. Bentinck) should vote with him, because he thought the Committee were invited to tread on very dangerous ground.

Mr. GORST said, the remarks of the right hon. and learned Gentleman who had spoken last were not confined to the Amendment now before the Committee. The simple question before the Committee was, whether treating should be applied to the candidate and his agents only, or to all persons? Upon that point he did not think there could be much difference of opinion; and he was unable to support the Amendment of the hon. and learned Member for Bridport (Mr. Warton).

Mr. WARTON intimated that he would not press the Amendment.

Question put, and *agreed to.*

The CHAIRMAN asked the hon. and learned Member for Bridport (Mr. Warton) if he proposed to move the next Amendment in line 11, to leave out "any person," and insert "the agent of any candidate?"

Mr. WARTON said, the Amendment had reference to the same point, and he would not waste the time of the Committee by moving it.

Mr. H. H. FOWLER moved, in page 1, line 11, after the word "who," to insert "corruptly." The Act of 1854 confined the punishment for treating to the candidates and their agents. The present clause proposed to extend the liability for treating to persons other than candidates, and it further proposed to make treating, what in point of fact it was not at present—namely, a criminal offence, and to visit it with severe and unexampled penalties. In altering the Corrupt Practices Prevention Act of 1854 for this purpose, a word of essential importance was left out, which was inserted in the Act of 1854. In the Act of 1854 treating was defined in this way—any candidate who shall "corruptly" be guilty of treating; and it had been held again and again that the word "corruptly" influenced the whole construction of the sentence. It was provided by the present clause that any person who by himself or any other person, either before, during, or after an election, was directly or indirectly guilty of treating, in order to induce a voter to give or to refrain from giving his vote, he should render himself liable to certain penalties. But the word "corruptly," which appeared in the Act of 1854, was of great importance. He would read a sentence from a judgment by Lord Blackburn, in which that noble and learned Lord said—

> "As to this word 'corruption' it is used in connection with treating. It does not necessarily mean wickedly, or immorally, or dishonestly, but with the object and intent of doing that which the Legislature plainly means to forbid. In fact, giving meat and drink is treating, when the person who gives it gives it with the intention of influencing the vote, and not otherwise; and in all cases where it is attempted to show that meat and drink have been given it becomes a question of fact for the Judge to find out whether the intention with which it was given is made out, and in each individual case that must stand upon its own grounds."

If the word "corruptly" were not inserted the construction of the clause would amount to this—*post hoc propter hoc.* Wherever refreshment was given, however innocently, the heavy penalties which this section proposed to inflict for treating would be imposed. For instance, if a person met a friend on the way to the poll and said, "Come and have some lunch with me," if the invitation were accepted, notwithstanding that both might have made up their minds how they were to vote, if they did vote at the election, both of them, in consequence of this innocent act of hospitality, might be treated as felons and subjected to disqualification and severe penalties. He was sure that his hon. and learned Friend the Attorney General could not mean to carry the clause to such an extreme length; and he would therefore ask him to insert the word "corruptly," so as to make the clause correspond with the Act of 1854.

Amendment proposed, in page 1, line 11, after "who," insert "corruptly."—(*Mr. Henry H. Fowler.*)

Question proposed, "That the word 'corruptly' be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, his hon. and learned Friend was mistaken in his view that treating was now for the first time made a criminal offence. That was not so. It was at present a criminal offence on the part of the candidate. The whole question of the legal effect of the word "corruptly" was discussed in the case of "Cooper *v.* Slade," which arose out of the Cambridge Election. In that case Sir Frederick Slade, innocently, and without the slightest intention of breaking the law, allowed money to be paid for the expenses of a voter at an election, and the matter was considered on an appeal to the House of Lords, and the late Lord Cranworth held that "corruptly" meant nothing, unless it meant for the purpose of procuring the vote. In that case, treating with such an object would be corrupt; but the word "corrupt" did not define the offence. It had no strict legal meaning; but it might mislead the unwary. A person could not be found guilty unless he was proved to have given drink or other entertainment for the purpose of influencing the vote. The Judges also said that the insertion of the word did no harm. Under the circumstances, he (the Attorney General) had to consider what course he ought to take. He was anxious to meet the wishes of the Committee. If the word were inserted he did not think it would do any harm, because the Judges had already held that it had, in relation to the briber, no legal effect. He would, therefore, give way if the Committee preferred that the clause should be made to agree with the Act of 1854, rather than prolong the discussion, because there was so very much more in the Bill that deserved consideration. To save time, if the Amendment were pressed, he would accept it; but, at the same time, he was of opinion that it was altogether unnecessary.

Sir R. ASSHETON CROSS remarked that, although it was true some Judges were agreed that the word "corruptly" did no harm, others might say, finding the word in the Act of 1854, and expressly left out in the Act of 1882, that there must have been some intention on the part of the Legislature in omitting it, and that, therefore, they would give effect to the omission. He, therefore, thought it would be much better to restore the word.

Question put, and *agreed to.*

Mr. WARTON said, he had two Amendments to propose in the clause to provide that the guilt of treating should be confined to persons duly appointed agents, and before, during, or within 28 days after the election.

Mr. ONSLOW observed, that before the Amendment of his hon. and learned Friend came in he had an Amendment to propose. He wished, in the first place, to ask the hon. and learned Attorney General what he meant by the word "before?" The clause said—

> "Any person who corruptly by himself, or by any other person, either before, during, or after an election," &c.

He thought the hon. and learned Gentleman should lay down how long before an election took place corrupt practices could be supposed to have prevailed. The words as they stood were very wide, and might mean from the time of the last previous election up to the time of the next election. It might be construed to mean that if a person went down to a constituency with the desire of becoming a future candidate, when there was no election pending, and paid something for an entertainment of a very harmless character, it was an illegitimate attempt to influence the constituency. There were many instances, he believed, in which candidates and the agents of candidates subscribed something towards a particular entertainment. How long before an election was that to be considered corrupt practice? Without some distinct definition the most innocent acts might be set down as connected with the election, and so falling under the head of corrupt practices. He fully admitted that certain acts, which were innocent when no election was in prospect, would become corrupt practices after a vacancy had been declared, or when a General Election had become imminent. He, therefore, thought it was advisable that the Committee should have an explanation from the hon. and learned Attorney General as to what was exactly meant by the word "before." In order to bring the matter regularly before the Committee, he would move the omission of the word "before."

Amendment proposed, in page 1, line 12, to leave out the word "before."—(*Mr. Onslow.*)

Question proposed, "That the word 'before' stand part of the Clause."

The ATTORNEY GENERAL (Sir Henry James) said, the word had the same meaning as it had in the Act of 1854. Section 4 of that Act contained the same word, and whatever was meant then was meant now, as the present clause was a copy of that section. He could not give a definition of the word "before." If the Amendment of the hon. Gentleman were agreed to, the consequence would be that months and months before an election there would be open houses. The entertainments referred to by the hon. Member, when there was no election in prospect, had never been held to void an election or to affect the return. The only corrupt practices which affected the return were acts which were committed for purposes of bribery and treating. It was much better to leave every case to be dealt with according to its own circumstances. If treating took place for the purpose of obtaining votes the Judge, on the trial of the Petition, would unseat the Member. Otherwise he would not. That had been the doctrine expounded by the learned Judges on every occasion, and there had never been a complaint that any Member had been improperly unseated for treating. Each case stood by itself; and if the hon. Member insisted on the Amendment he should be compelled to oppose it. They had done very well for 28 years without any definition, and if a definition were attempted difficulties would arise.

Sir R. ASSHETON CROSS said, he knew there were very great difficulties in the way of defining the extent of the word; and he felt with the hon. and learned Attorney General that it was almost impossible to alter the clause, or to attempt a definition. The difficulty, however, was a minor one in this instance. Where the difficulty really arose was later on, when they came to deal with the maximum expenses. The difficulty would then become a very serious one.

MR. WHITLEY said, he believed that the clause created a new offence altogether. The candidate himself, if he sanctioned treating, or was guilty of it himself, was, undoubtedly, liable to the penalties of the Act; but, in this case, the Committee were enlarging the penalty, and were making the candidate responsible for the act of any person who chose to treat a voter six months before the election. Therefore, he was inclined to think that the clause should be qualified in some way. As they were extending the Act of 1854, and making the candidate responsible for the acts of other persons, he thought this ought not to be permitted without a strict limitation of the responsibility.

MR. ONSLOW said, he wished to put one point to the hon. and learned Attorney General. In all boroughs and counties they had committees for election purposes, and each of the committeemen was supposed to be an agent of the candidate—in fact, as the Attorney General knew, the Judges had always ruled so. Was he to understand that if it could be proved that any committeeman who was supposed to be an agent had spent a sovereign or two in treating, although the Member for the time being, or the candidate, might know nothing about it, the act of the committeeman might be brought up afterwards against the candidate, and the candidate, or it might be the Member, would be liable to suffer the penalties imposed by the Bill? If they made the Bill more severe than the present law, they might depend upon it that there would be many more Petitions than there were now. He was satisfied that the insertion of this little word "before" would give rise hereafter to considerable difficulty; and he hoped the hon. and learned Attorney General, with the great legal acumen he possessed, with the assistance of the hon. and learned Solicitor General, would be able to define what the word was to mean. If not, he was afraid that great difficulty and scandal would arise.

MR. GREGORY said, he thought the present clause should be read in conjunction with the corresponding clause of the Act of 1854. The clause of that Act provided that any person who should corruptly do such and such acts before the election should be liable to certain penalties. The present Bill extended the penalty, and made it a criminal offence; but it seemed to him that the two clauses, with the Amendment already accepted by his hon. and learned Friend the Attorney General, might be made the same, with the same penalty and the same definition attached to the offence as that which was contained in the Act of 1854.

MR. WARTON said, he agreed with the hon. Member for Liverpool (Mr. Whitley) that as they were extending the penalty they ought in some way to qualify the responsibility. Every candidate would know when he became a candidate, and would know very well whether, if he was guilty of treating, he did so with a corrupt motive. But it would be very different if he were to be rendered responsible for the acts of every zealous partizan, even before he really became a candidate, and even although the treating was done in the most innocent manner possible. The question was by no means so simple as his hon. and learned Friend seemed to suppose. Everything depended upon the person by whom the offence was committed. What he meant was this. When a man started as a candidate he knew the precise moment at which he did start, and it might be a reason why he should abstain from giving or contributing towards any public entertainment, or from giving drink to people; but a middleman, who was only a friend of the candidate, with the most innocent intentions, might very easily be caught by the stringent provisions of this section, if the Government persisted in retaining the word "before," which made it apply to acts committed long before the election. The hon. and learned Attorney General told the Committee that the clause was a copy of the section of the Act of 1854. Now, he (Mr. Warton) had the section of the Act of 1854 before him; and, without quibbling at minor alterations of small importance, he was prepared to contend that there was a very great difference indeed, especially when he came to the later part of the section. At any rate, the section of the present Bill was by no means an exact copy of the section of the Act of 1854; and he thought the Committee ought to be exceedingly careful, when the penalty was made to involve such serious consequences, how they extended the law. Under all the circumstances, he should support the Amendment of his hon. Friend (Mr. Onslow).

Mr. STAVELEY HILL said, he wished to point out to his hon. and learned Friend the Attorney General that this section differed very materially from the corresponding section of the Act of 1854. The word "before," in the Act of 1854 was limited by these words—"every candidate who at an election shall before." That showed that the word "before" could only apply to the time of election, when the candidate was fairly in the field. But the present clause provided that "any person who by himself or by any other person, either before, during, or after an election," and, consequently, a far more extended meaning was given to the clause.

Mr. T. C. THOMPSON said, he would like to know from the hon. and learned Attorney General if the clause was to extend to acts of private hospitality? In the North of England they were a very hospitable people; and it had been his good fortune, during the time of election, to be entertained by a personal friend. He wished to know whether, if the same thing occurred hereafter, a similar act of hospitality would render his friend liable to a penalty for treating? He believed that the object of the hospitality thus extended to him was the promotion of his election, which seemed to bring it within the words of the Bill, and made those who offered and those who shared it guilty of a "corrupt practice."

Mr. GORST said, he could sympathize with the desire of his hon. Friends on that side of the House to obtain from the Government, if possible, a definition of the time at which an election was to be considered to have commenced; but it would be impossible to give such a definition, and the ultimate determination of the point would in every case have to be left to a legal tribunal, and the Judge would have to say at what precise date the election contest began. He confessed that he was unable to see any real hardship in the provision contained in the section, either to the person accused of corrupt practices or to the candidate. Of course, any person who committed the corrupt practice of treating would know very well whether he did it for the purpose of influencing votes at the election, if there was an election actually taking place or in prospect; and if it could be shown that he was not acting with a view to an immediate election, then the Judge would acquit him of any corrupt practice. In point of fact, what the candidate or any other person had been doing either before, during, or after an election would be for the Court to determine; and it would be necessary to determine each case by the particular circumstances attending it. Then, in regard to the candidate himself. He would not be held liable for the acts of any person until such person became his agent. He would know when the election commenced, so far as he himself was personally concerned, and whether any persons, either directly or indirectly, had been clothed by him with the character of election agents; and until the time arrived at which the contest really began, and certain persons were placed in the position of agents, he would not be liable for their acts.

Sir R. ASSHETON CROSS said, he thought the Committee ought to have the opinion of the Law Officers of the Crown upon this point. He would assume that some person had been guilty of treating before the election; that, knowing an election was likely to take place within the year, some person living in the borough did treat, by asking electors to entertainments within his own house, with the intention thereby of influencing the next election. This would be done at a time when there was no election; but by-and-bye an election took place, and the candidate, on going down to the borough, appointed this gentleman his election agent. The candidate might know nothing about him, or what had taken place previously, and, being in complete ignorance, he appointed him to act as his agent. Under such circumstances, was the candidate to be held responsible for acts committed by the agent years before he became a candidate?

The SOLICITOR GENERAL (Sir Farrer Herschell) said, he was clearly of opinion that, under such circumstances, the candidate would not be held responsible. He believed it never had been so held against the candidate. The liability of the candidate would always be confined to the acts of those whom he directly constituted his agents, or those whom he recognized as his agents, after he became a candidate. So far as he was aware, there had been no case in which a candidate had been held responsible for acts committed by any person before he became a candidate. In answer to the question of his hon. Friend and Colleague the Member for the City of Durham (Mr. T. C. Thompson), he trusted —indeed, there was every reason to believe—that when his hon. Friend was entertained it was with no corrupt intention; and, therefore, it would clearly not come within the conditions of the section.

MR. CALLAN said, he believed that Members of Parliament were supposed to be candidates for the next election, so long as they continued to represent a constituency. Personally, he had not issued any address or solicited any support in his county (Louth); but he certainly intended to be a candidate again, and he might, therefore, be regarded as a candidate in expectation. Now that the Irish Members had been gratified by the removal from Office of the late Chief Secretary for Ireland, he certainly proposed to go over to Ireland and visit his constituents. In all probability, he should dine every day with persons invited to meet him for the purpose of hearing his views on political matters; and he wished to know whether that would be deemed treating and a corrupt practice within the meaning of the present section? [An hon. MEMBER: Not unless the motive was a corrupt one.] Was he to understand that the word "corruptly" had been inserted in the clause?

THE ATTORNEY GENERAL (Sir HENRY JAMES): Yes.

MR. CALLAN said, he had not been aware of that fact. Of course, it completely changed the aspect of affairs.

MR. H. H. FOWLER said, he desired to point out that the whole of this section did not bear upon any specific candidate, as the corresponding section of the Act of 1854 did, but applied to treating by any candidate or other person in his behalf before, during, or after the election. In point of fact, it struck at all political entertainments which might be given at any time in any borough or county; and he was afraid that it might affect any meeting of a Liberal or Conservative Association given for the promotion of the objects of their respective Parties. Indeed, it might put a candidate to the trouble and expense of defending himself from charges in connection with a political entertainment given some four or five years before. For instance, it might be contended three or four years hence that the banquet recently given at Liverpool, at which the Marquess of Salisbury was present, came within the scope of the clause. The section, therefore, would require a good deal of guarding in order to prevent abuse. At the proper time he intended, himself, to propose the omission of the words "or otherwise for the purpose of promoting or procuring the election of a candidate at such election." In the meantime, he would support the hon. Member for Guildford (Mr. Onslow) if he pressed the Amendment, unless the Government consented to some modification of the clause, so as to make it clearly applicable to a particular election.

MR. HOPWOOD held that any further limitation of the clause would be detrimental, and hoped that the Government would stand firmly by the section as it stood. If they adopted the Amendment the effect would be to give the briber or treater a starting point, and show him how far he might safely go in the direction of corrupt practices without voiding the election. It seemed to him that the clause was already fairly limited by the proviso that the corrupt practices must have been done for the purpose of influencing the person to whom the drink or entertainment was given. It must have been done with a corrupt motive. He admitted that there was similar looseness in defining many misdemeanours and crimes, and that many persons might, by possibility, be brought within the range of the law; but, as a matter of fact, it was not found that they were unfairly brought within it. People were very slow to commence a malicious prosecution unless there were good grounds for proceeding with it; and if any man was guilty of a corrupt practice for the purpose of influencing an election, no one would dispute that he ought to come within the four corners of the definition contained in the clause. Any further limitation, therefore, would have a disastrous effect upon the good working of the clause.

Mr. JESSE COLLINGS said, he hoped that the hon. and learned Attorney General would not give way upon this point. If treating were to be made more safe it would be better to strike out the clause altogether. It would only make treating the more sure to define the times and occasions on which it might safely be resorted to. They had already inserted a safeguard in the section by providing that the treating should have been given for the purpose of corruptly influencing the vote, and that was the full extent to which they ought to be called upon to guard it.

Sir HARDINGE GIFFARD said, he was sorry that his hon. and learned Friend the Solicitor General (Sir Farrer Herschell) had left the House, as he confessed that he did not understand the answer his hon. and learned Friend had given to the right hon. Member for South-West Lancashire (Sir R. Assheton Cross), because it appeared to be absolutely in conflict with the decision in a case with which the Attorney General (Sir Henry James) would be quite familiar. It was alleged that the acts of a person before the election would be a corrupt practice, and must be dealt with by the Election Judge, on evidence, in the same way as any other corrupt practice. The case to which he referred was one which was actually adjudicated upon. The allegation was that the candidate had accepted the services of a particular Association without the least knowledge that corrupt practices had been committed by the Association before the election; but, nevertheless, on account of an offence committed by the Association prior to their services being accepted by the candidate, the candidate was unseated. [An hon. Member: Where was it?] It was at Taunton, and the candidate was Mr. Serjeant Cox, who accepted the services of the Conservative Association of the borough, after, he regretted to say, they had been guilty of a corrupt practice. It appeared that the Association had been in the habit of paying voters, not for any real loss of time, but 5*s.* a head for attending the Registration Court. The Judge very justly held that that was obviously bribery and a corrupt practice; but, nevertheless, the act was committed some months before the election, and without the knowledge of the candidate himself. But the fact that it had been done by persons whose services the candidate afterwards accepted as his agents was sufficient, in the opinion of the Judge who tried the case, to unseat Mr. Serjeant Cox. Therefore, it was evident that the decision of the Judge was entirely at variance with the opinion of his hon. and learned Friend the Solicitor General.

The ATTORNEY GENERAL (Sir Henry James) said, he had no wish to refer especially to the circumstances of the Taunton Election alluded to by his hon. and learned Friend. He knew perfectly well that the hon. and learned Gentleman who was unseated took no part in the corrupt practice for which he was unseated. No doubt, the Conservative Association of Taunton had been dealing with matters connected with the registration before the month of September; but the payments themselves were made within one week of the polling day, and they were made by the committee who were acting as agents for the purpose of conducting the election. Further, they were payments made to voters who were not required to appear, and had not appeared, in the Revising Barrister's Court at all; but each of whom received 5*s.* for his supposed attendance. He had said the payments were made within a week of the polling day; but he believed that, at any rate, they were made within 14 days; and the learned Judge who tried the case held that, on proof of the agency of the Association being brought home, the payment was a corrupt payment. The case put to his hon. and learned Friend the Solicitor General was a very different one. If a person, at a time when no election was imminent, and when no candidate had been in any way recognized, committed an act which might be construed into treating, the candidate, if without adopting such acts, simply employed such person as his agent, he would not be, as far as he (the Attorney General) knew, liable for the acts of the agent before the election commenced. But the case referred to by his hon. and learned Friend the Member for Launceston (Sir Hardinge Giffard) was entirely different, and the acts then done were entirely within the scope and period of "election agency." With regard to the Amendment, he must ask the Committee to adhere to the clause as it stood. It was entirely in consonance with the provisions of the Act of 1854, and he could not accept any modification of the clause which would not stand the test of examination. In this case he feared that the Amendment would not stand such a test, because he believed that the omission of the word "before" would only open the door to corrupt practices before the election, which might have a material effect upon the result of the subsequent contest.

MR. RAIKES said, he wished to point out to the hon. Member for Ipswich (Mr. Jesse Collings), who was of opinion that the clause should not be altered, that the words which occurred after the word "before" really governed the whole matter, and the clause would be as much effective if they left out the whole of those words, and made it read—

> "Any person who by himself or by any other person, either directly or indirectly, gives, or provides, or pays wholly or in part;"

and so forth. The same result would be arrived at as by retaining the three specifications inserted in the clause "before, during, or after an election." If they left out those words, and substituted words showing that the act done had reference to the election, they would operate both before, during, and after an election, and would have special reference to the act done. He certainly felt that if they retained the clause as it stood there would be very great danger in regard to the political banquets already spoken of, and a candidate might place himself in a position in which he had not hitherto been placed. It was hardly possible, he thought, to prevent those without checking the expression of public opinion either on one side or the other. He believed that most Members of the House had attended a political banquet at one time or another. He thought the Committee were fighting with a shadow in arguing about these particular words, because, after what the hon. and learned Attorney General had said, they might leave out all these words and insert something to indicate that the clause had some bearing on the election which would make it operative as to corrupt practices, and not leave the matter open to all sorts of difficulties. It might be found, if they retained the clause in its present form, that they had caught persons they had no desire to catch.

MR. STAVELEY HILL asked if the Committee were to understand the hon. and learned Gentleman the Solicitor General (Sir Farrer Herschell) in the sense attributed to his words by the hon. and learned Gentleman the Attorney General—namely, that where a person had been guilty of a corrupt practice, and he was appointed by the candidate as an agent, such candidate would not be liable for any of the practices he might previously have been guilty of?

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, that an appointment made under such circumstances would not render the candidate responsible for the acts of the agent. It would be necessary to bring home to the candidate a knowledge of the agent's previous acts of corruption before he could be disqualified. But he could not be made responsible for acts of which he had never heard.

MR. R. H. PAGET said, he thought the Committee ought to consider carefully the operation of the clause. It clearly had the objection that it enormously enlarged the scope of the present Act; and it had already been pointed out that the clause differed very materially from the corresponding clause of the Act of 1854, and would in no way confine the corrupt acts to the pending election. It had been suggested that some words might be introduced which would have that effect; and he would submit for the consideration of the hon. and learned Attorney General that after the word "election," in line 12, the words "in connection with or in reference to such election," might be inserted. It seemed to him that these words would have the effect of providing that the practices dealt with in the clause were connected with the election. It would be just as well to omit the words "before, during, or after" and let the clause read—

> "Any person who corruptly by himself or by any other person in connection with or in reference to an election"

should commit corrupt practices.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he was sorry that he could not accept the words suggested. It was, however, distinctly provided that the treating must have been for the purpose of influencing the vote of the elector.

Mr. ONSLOW said, he wished to point out another thing that was very likely to happen. Had his hon. and learned Friend considered the case of bribery at a municipal election? The candidate might innocently employ some agent in a Parliamentary election who had been guilty of corrupt practices at a municipal election; and, as the Bill now stood, the candidate would be disqualified by reason of such practices, although he might have been in total ignorance of them. By Clause 4, the candidate was to be punished for any corrupt practices committed by his election agents; and if the corrupt practices were to be any corrupt practices committed "before" an election they might have been confined entirely to a municipal contest. Consequently, if a man committed any of these offences during a municipal election, and was afterwards appointed the agent of a candidate at a Parliamentary election, the Member returned might lose his seat for what occurred at a municipal election of which he knew nothing whatever. His hon. and learned Friend would be aware that it was a common practice to employ the same agents at a Parliamentary election as those who had been employed in a municipal election. Therefore, under this Bill, it would become necessary for the candidate to know everything that went on at a municipal election. It was monstrous to retain the words "before, during, or after," because they could not be interpreted to include everything that was done at municipal elections. No one cared much what was done at municipal elections, still less did anyone care to petition; but when, by this Bill, they made what was done in the way of treating at municipal elections a corrupt practice, they might depend upon it that many a man would lose his seat in the House of Commons.

Mr. Serjeant SIMON said, the clause was being argued on fallacious grounds. The clause applied to candidates, and others as well as agents. It proposed to put down corrupt practices by persons other than the agent. It was impossible to define the meaning of the word "before." He wished it could be defined, because he admitted that the case was open to considerable hardship. At the same time, the word could not be omitted, because, if it were, the door would be opened to all kinds of corrupt practices.

Mr. WARTON said, hitherto candidates at elections had had very respectable agents. He doubted whether, after the passing of this Act, any respectable agents would be found.

Mr. DIXON-HARTLAND said, the discussion on the clause had chiefly turned up to this upon the actions of the agents of candidates. He wished to point out that candidates would have to study their own actions a great deal more than hon. Gentlemen seemed to imagine. It was a well-known fact that a very large proportion of hon. Members were very naturally the candidates at the next election. In every one of the large boroughs hon. Members were called upon frequently to subscribe to charity dinners. It could not be said that hon. Gentlemen would subscribe as munificently as they now did if they were not the Representatives of the boroughs in which the dinners were given. Who was to say that the subscriptions were not given, in great part, because the giver hoped to sit again? Was that corruptly giving "drink, entertainment, and provision" in the hope of being re-elected the Representative of the constituency, or not?

Sir TREVOR LAWRENCE asked what would be the effect if a candidate subscribed towards the incidental expenses of a political banquet? Very often there were musical entertainments at political banquets, or political discussions, interspersed with song; and towards the incidental expenses of these gatherings the borough Members themselves were very frequently invited to subscribe. What would be the effect if a candidate subscribed a guinea, or a couple of guineas, towards these expenses? The reason why he asked the question was that they were dealing with motives. That was a very difficult subject to enter into; and he would like to know what the effect would be in the case he had described?

Mr. GORST said, he rose for the purpose of giving to the Committee what he thought was a simple, but a very practical reason for leaving the words unchanged, and that was that precisely the same words occurred in the statutory definition of bribery, and in the statutory definition of undue influence. It would be a misfortune if the definition of corrupt practices were different as to the time during which it occurred from the definition of bribery and undue influence. The words "before, during, or after an election" appeared in the clause defining other election offences; and he thought that was a very good reason why the words should not be altered.

MR. CAVENDISH BENTINCK said, he did not think the reason given by the hon. and learned Member (Mr. Gorst) at all a good one. It was absolutely necessary that hon. Gentlemen should put their heads together, and try to come to some intelligent definition of the particular words under consideration. He maintained that provision for a person might mean accommodation in a hospital. There were large subscriptions given by hon. Members of the House, which would not be given at all only they happened to be the Members for the particular borough in which the subscriptions were raised. They never could conceal those facts, especially with regard to charities. He remembered the late Colonel Sibthorpe said that bribery was far from him, and he would never stoop to the suggestion; but who would deny him the right to exercise Christian charity? And he did exercise his Christian charity very considerably. For aught they knew, the hon. and learned Gentleman the Attorney General might exercise Christian charity in the borough of Taunton; and was it to be said that, because he did exercise Christian charity, and because he relieved the suffering poor, or contributed to an hospital, he should be unseated? He and his friends felt very considerable alarm at the clause as it now stood. Political clubs were now to be found in every constituency. They were not confined to any particular Party, and large subscriptions were given towards their maintenance. Everybody knew full well that those clubs were established for influencing voters. The hon. and learned Gentleman the Attorney General attended a meeting at Burton-on-Trent at the commencement of the year; and very remarkable speeches were made by the hon. and learned Gentleman, and by the Home Secretary. What did they hear at that time? Why, that the hon. Member for Derby (Mr. M. T. Bass) had subscribed £35,000 for the purpose of establishing a Liberal Club with all modern appliances; and the Home Secretary spoke of it as the munificent benefaction of the hon. Member for Derby to the town. He thought the hon. and learned Member for Stockport (Mr. Hopwood) had not read the last sentence of the first paragraph, or he would see that the clause went a great deal further than mere influencing, for it was said—

> "Or otherwise for the purpose of promoting or procuring the election of a candidate at such election."

Was not the club at Derby founded and fitted up with all modern appliances, and comforts, and luxuries, for the purpose of influencing voters and procuring votes? Hon. Members opposite, including one of the great stars of the Birmingham Caucus—the hon. Member for Ipswich (Mr. Jesse Collings)—who were so indignant when anything was said about influencing voters, said nothing about this great Liberal Club at Burton-on-Trent, the opening of which was attended by one of the Chief Law Officers of the Crown. He (Mr. Cavendish Bentinck) hoped his hon. Friend the Member for Guildford (Mr. Onslow) would take the opinion of the Committee upon this question; and he hoped that before the discussion was finished they would hear some more satisfactory explanation from the Law Officers of the Crown than had hitherto been vouchsafed to them.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he would remind the right hon. and learned Gentleman, when he referred to subscriptions, that he was his (the Attorney General's) Predecessor in the representation of Taunton, and when he (the Attorney General) went there he found the subscriptions to charitable institutions at a very low ebb. The right hon. and learned Gentleman had spoken about the opening of a Liberal Club at Derby. Unfortunately for him, it was not opened at Derby at all; and there was not a Member for Burton-on-Trent.

MR. CAVENDISH BENTINCK said, he ought to have said the club was opened in Burton-on-Trent. Both the Liberal Members for East Staffordshire were present, and Burton-on-Trent was a considerable place in East Staffordshire.

THE ATTORNEY GENERAL (Sir HENRY JAMES) asked the Committee to consider the Question before them. It was really whether the word "before" should stand or not. He admitted the observations of the hon. Member for Guildford (Mr. Onslow) were well-founded—that they were proposing, no doubt, a penalty in respect to the clause which did not exist before; and, so far as unseating a Member, the word "before" had always existed, and it had always received a proper construction from the learned Judges before whom Election Petitions had been heard. An act of corruption must have a direct bearing on the election, and it must be the act of the candidate himself, unless agency existed at the time the act was done. He could not consent to the omission of the word "before."

Mr. WALPOLE said, if the word "corruptly" had not been introduced in the clause, there would have been great force in the Amendment of the hon. Member for Guildford (Mr. Onslow). He was a Member of the Select Committee by whom the matter was very carefully considered. The word "corruptly" governed the whole clause. If a person was guilty of what would be called treating, but did not do it corruptly, whether it was before or after, or during an election, an offence would not have been committed. If they omitted the word "before," what would happen? Why, that any person might treat any number of electors just before an election; might influence their votes by doing that; and the consequence would be that, because they had not got the word "before" in the clause, there would be no offence committed, and the very corruption they wished to guard against would immediately take place. He would submit to his hon. Friends around him that as long as they had secured the insertion of the word "corruptly," they would do wisely not to press the Amendment.

Mr. H. H. FOWLER suggested that lines 19 and 20 should be left out, namely—

> "Or otherwise for the purpose of promoting or procuring the election of a candidate at such election."

If the hon. and learned Attorney General would leave out those words he would then confine the treating to inducing men to refrain from voting, and then there would be great force in retaining the word "before."

The ATTORNEY GENERAL (Sir Henry James) said, when they got to those words he would state his views upon them.

Sir R. ASSHETON CROSS said, he was sorry to say his hon. and learned Friend the Member for Launceston (Sir Hardinge Giffard) was absent. His hon. and learned Friend was not satisfied with the assurance they had received from the Law Officers of the Crown that candidates would not suffer from the act of their agents before an election. All he wished to ask was whether, on further consideration, they could show there was a real danger of candidates suffering from the acts of their agents, the hon. and learned Attorney General would, on Report, consent to insert words to guard against the danger?

The ATTORNEY GENERAL (Sir Henry James) said, he would consider any suggestion; but he could not at present hold out any promise as to what he would do.

Sir TREVOR LAWRENCE said, he was President of two cricket clubs, one in his constituency, and one near where he lived, who recently played against each other, and he entertained them at lunch. Many of the players might be voters. He would like to know whether that would be considered corruption?

Mr. GREGORY agreed with his right hon. Friend (Mr. Walpole) that they would open the door to every sort of corruption if they struck out the word "before." He could not help thinking that the insertion of the word "corruptly" provided all the protection needed.

Mr. R. H. PAGET said, he hoped his hon. Friend would withdraw the Amendment, because as it stood at present it was not likely to receive any serious support. If the hon. Member would withdraw his Amendment he (Mr. Paget) would have an opportunity of proposing the addition of the words he had suggested.

Mr. RAIKES also suggested to his hon. Friend the wisdom of withdrawing the Amendment. If he would do that he (Mr. Raikes) would be prepared to move to leave out the words "before, during, or after an election," and then they would be able to insert the words proposed by the hon. Member for Mid Somersetshire (Mr. Paget). They would get rid of the words "before, during, or after an election," and they would stand exactly where they did now; but it would give an opportunity for an Amendment to be moved which was regarded with considerable favour by many Members of the Committee.

MR. ONSLOW said, when he moved to omit the word, he saw the difficulty at once. They had had a very interesting discussion, and the suggestion of his hon. Friends was one which he could safely adopt. He begged, therefore, to withdraw his Amendment.

MR. WARTON said, he wanted to know exactly where they were. If the hon. Member withdrew his Amendment, would the Chairman rule that the word "either" stood part of the clause? If he did so, they would not be able to introduce the words suggested by the hon. Members for Mid Somersetshire (Mr. R. H. Paget) and Preston (Mr. Raikes). Personally, he would like to see some such words as "in respect of any election" inserted.

THE CHAIRMAN: If the Committee unanimously agree that the Amendment may be withdrawn, then the word "either" still stands. At the present moment the question is on the word "before."

LORD JOHN MANNERS said, there was still a little misconception. The point was, whether the word "either," which came immediately before the word "before," necessarily remained part of the clause, or whether it would be competent for any hon. Member to move the omission of the word "either."

THE CHAIRMAN: If the Amendment is withdrawn by the consent of the Committee, then we are at the last decision, which is the word "corruptly."

Amendment *negatived.*

MR. WARTON moved, in page 1, line 12, after the first "or," insert "within twenty-eight days," so that the clause would then read—

"Any person, who by himself or any other person, either before, during, or within twenty-eight days after an election," &c.

That seemed a reasonable addition, yet he could hardly imagine that treating would go on 28 days after an election. Something of the kind should be inserted, and he hoped the hon. and learned Attorney General would assent to his suggestion.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, if they accepted the Amendment, treating on the 29th day after an election would be made legal. He trusted the Committee would not agree to the Amendment.

Amendment proposed, in page 1, line 12, after the first "or," insert "within twenty-eight days."—(*Mr. Warton.*)

Question proposed, "That those words be there inserted."

MR. WARTON said, the hon. and learned Attorney General had quite misunderstood the Amendment, which was intended to make treating up to the 29th day after an election illegal. It showed the importance of considering these matters at length, when one so learned as the Attorney General so completely misunderstood them.

Amendment *negatived.*

MR. R. H. PAGET moved to insert, after the word "election," in line 12, the words "in connection with or with reference to such election." The hon. and learned Attorney General had already pointed out that the words "for the purpose of influencing" did give the matter a certain connection with the election; but he (Mr. R. H. Paget) wished to insure that the connection should be more clear, more distinct, and that it should be placed beyond all dispute that the transaction must be "in connection with or with reference to such election." The end of the clause, which subjected any person, whether an elector or not, to the most severe penalties if he took "any such meat, drink, entertainment, or provision," did render it very necessary that there should be some kind of limitation.

Amendment proposed,

In page 1, line 12, after "election," to insert "in connection with or with reference to such election."—(*Mr. R. H. Paget.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he would accept the words if he could. He believed it would be dangerous to insert the proposed words.

MR. RAIKES said, the clause as it stood was penal, inasmuch as it provided a penalty for a particular offence, and that was an offence which candidates had not been tried for hitherto. The Judges would have no difficulty in deal-with the clause, having regard to its penal character.

Amendment *negatived.*

MR. CAVENDISH BENTINCK said, he thought that before they proceeded further it would be well if the hon. and learned Attorney General would tell them what was meant by the words "meat, drink, entertainment, or provision?"

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, entertainment might mean meat, or drink, or provisions.

MR. CAVENDISH BENTINCK said, it would be desirable to strike out the words, if the Attorney General could not explain their meaning. He would now move the omission of the word "provision."

Amendment proposed, in page 1, line 13, to leave out the word "provision."—(*Mr. Cavendish Bentinck.*)

MR. WARTON said, the word "entertainment" seemed to be changing its meaning. Formerly it was used to mean food, drink, and forage for man and beast; but now it was employed in connection with musical parties.

Amendment *negatived.*

MR. WARTON moved to omit the word "entertainment," in page 1, line 14.

Amendment *negatived.*

MR. WARTON moved, in page 1, line 15, before "influencing," to insert "corruptly."

THE ATTORNEY GENERAL (Sir HENRY JAMES) assented to the Amendment.

Amendment *agreed to.*

CAPTAIN AYLMER moved, in page 1, line 15, after "influencing," to insert "thereby."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he had no objection to the insertion of the word; but he could not see that it would at all alter the meaning.

Amendment *negatived.*

MR. RAIKES moved, in page 1, line 15, to leave out "or any other person." He proposed the Amendment for the purpose of putting two questions to the hon. and learned Attorney General. It seemed to him that as the clause now stood they would be prohibited from giving any refreshment to committee clerks. If that was not intended, it would be necessary to put in some words to protect them. The clause said—

> "Any person, who by himself or by any other person, either before, during, or after an election, directly or indirectly gives or provides, or pays wholly or in part the expense of giving or providing, any meat, drink, entertainment, or provision to or for any person, for the purpose of influencing that person or any other person," &c.

He presumed that if they provided refreshment for their committee clerks, they did not do it for any other purpose than to influence their election. He confessed the subject was one of importance, and he should like to have an answer from the hon. and learned Attorney General. He should also like to know if every person, whether an elector or not, who received provision or entertainment for the purpose of influencing an election was to be liable to two years' imprisonment?

Amendment proposed, in page 1, line 15, to leave out "or any other person." —(*Mr. Raikes.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, the right hon. Gentleman need be under no apprehension with regard to committee clerks. Of course, if committee clerks were given proper refreshments there could be no objection whatever. The words were those of the old Act, and they were necessary, because they must not treat A, B, and C, in order to get the vote of D.

MR. RAIKES asked leave to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

MR. H. SAMUELSON suggested that after the word "election," in page 1, line 16, it would be well to insert the words "for any particular candidate or candidates." It appeared to him that the clause as it stood was rather vague. They were about to punish people for inducing other people to give their votes. No one would care to induce people to give their votes merely for the sake of voting in the abstract, but in order to secure the return of some particular candidate. By inserting the words he suggested, they would show the people clearly what the offence was.

Amendment proposed, in page 1, line 16, to insert the words "for any particular candidate or candidates."—(*Mr. H. Samuelson.*)

Question proposed, "That those words be there inserted."

MR. GORST said, he thought nothing could be more calculated to lead to wholesale corruption than such a Proviso, because it would enable a man to take up his position in front of a polling booth and promise a pint of beer to every man who would come and vote, and he would bring all sorts of people to vote from other than patriotic motives.

MR. H. SAMUELSON said, that he did not see the force of the objection of the hon. and learned Member for Chatham (Mr. Gorst), as, under the existing system at the present time, people were brought up and given pints of beer; but as it did not seem to find much favour with the Committee, he would withdraw the Amendment.

Amendment, by leave, *withdrawn.*

MR. WARTON moved, in page 1, line 19, to leave out "or otherwise;" and asked what was meant by "or other wise?" A gesture or a look might be included in these words. Every turn of the body or glance of the eyes might be considered corruption. The words seemed to him unnecessary, and he thought they might be left out of the paragraph.

Amendment proposed, in page 1, line 19, to leave out the words "or otherwise."—(*Mr. Warton.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that these words were intended to apply to general treating rather than to particular treating. At the same time, he thought the word "corruptly" might be inserted in this part of the clause; and he would be willing to propose, in order to show that he wished to provide every safeguard, to introduce the word "corruptly," after the word "otherwise," if there was any objection to that.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 1, line 19, after the words "or otherwise," to insert the word "corruptly."—(*Mr. Attorney General.*)

Question proposed, "That the word 'corruptly' be there inserted."

MR. H. H. FOWLER said, he thought this was a very wide extension of the Act of 1854, in which there were no words to this effect. At the commencement of this evening's discussion, the hon. and learned Attorney General stated that the word "corruptly" was of no value whatever, although he consented to its insertion, and the Act would be judged of without respect to that word. That was a very wide clause, and the Committee had now extended it to the period before, during, and after an election; and that meant that every private entertainment which a gentleman might give to his political friends, would render him liable to come within the purview of the section. They had had no case submitted of any evil arising from the absence of such a provision. That was a new law, and, although they might modify the enormous penalties attached to an offence under this Act, they could not lose sight of the fact that the hon. and learned Attorney General was dealing with the matter now in the severest form; and he would ask the Committee to leave out the words—

"Or otherwise, for the purpose of promoting or procuring the election of a candidate at such election."

The Committee had dealt with the treating of voters to induce them to vote. If that was not far enough, it was a very serious matter to extend the clause to every act which a man in a political position might do, and to bring him within the meshes of this clause.

LORD JOHN MANNERS rose to a point of Order, and asked whether it would not be for the convenience of the Committee that the hon. and learned Attorney General should withdraw his Amendment, in order that the Committee might first decide upon the larger proposal of the hon. Member for Wolverhampton (Mr. H. H. Fowler)?

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 1, line 19, to leave out from the word "election" to the word "shall," in line 20.—(*Mr. Henry H. Fowler.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. JESSE COLLINGS pointed out that all the other parts of the clause dealt only with electors who had votes; but if these words were left out, anyone who was bribing or treating a non-elector, in order that he might influence an elector, would not be brought within the Act.

SIR R. ASSHETON CROSS said, he would like some further information as to these words. There had been no suggestion of anything that was not met by the Act of 1854; and they were now embarking on a serious proposal, and they ought to be very careful in doing so. He was very much afraid of these words as they stood, and until they had more information he should be disposed to vote against the provision.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that as there was on the whole some doubt upon this point, he would ask leave to postpone the question till Report. If a discussion was entered into now, a great deal could be said which he did not think would be conclusive. He thought the clause met all that was required, and he would ask his hon. Friend to give way upon this point.

MR. HOPWOOD said, he should be very sorry to see any words left in this Bill which destroyed its probable effect hereafter. The ways of bribing and treating were so multifarious and so nefarious that it was impossible to anticipate them all; and to call upon the hon. and learned Attorney General to say what might be foreshadowed or aimed at by particular words, was giving him a task to which he ought not to be subjected. It was the part of the Committee here to provide that everything of a corrupt character should be dealt with. That was done by the suggested words, and he thought that the interest of any person who came before the Judges would be thoroughly guarded.

MR. RYLANDS said, that, while he agreed with his hon. Friend that they ought to deal with cases of corrupt practices, he thought they ought to be careful not to create pitfalls, in which men might find themselves, in consequence of the words of the Bill being so wide as to include instances that were not at all contemplated at the present moment. He was glad to see that his hon. and learned Friend (the Attorney General) was willing to give up these words, because he did not think they were necessary.

MR. HORACE DAVEY said, these words would not depend on the substance of them. He could understand that hon. Members were not desirous of creating pitfalls; he sympathized with them in that respect. He supposed that everybody would agree that treating people in a public-house was a corrupt practice for the purpose of influencing an election; but it might be difficult to prove that those persons who went into a public-house and obtained beer for a nominal sum, or for nothing at all, were voters, and that it was intended to corruptly influence. He thought the words might be judiciously modified; and he hoped the hon. and learned Attorney General, when he re-considered this question and brought the clause up again on Report, would retain the substance of it. With regard to the remarks of the hon. Member for Wolverhampton (Mr. H. H. Fowler), he did not think there was any real fear of a Judge holding that such hospitality as had been alluded to to come within the clause. The hon. and learned Attorney General had proposed to insert the word "corruptly" before "promoting;" but he should have thought that without the word "corruptly" there would be no danger of such hospitality being brought within the Act. He did not think that any Judge would say that an entertainment of friends was intended to corruptly influence them.

MR. GREGORY said, he did not wish to embarrass the hon. and learned Gentleman the Attorney General; but he would suggest the question whether it would not be possible to omit these words?

SIR HARDINGE GIFFARD said, the hon. and learned Member for Christchurch (Mr. Horace Davey) seemed to be under the impression that it was necessary to show that there were voters in a public-house; but that was a mistake. Treating was entirely different from giving a man food and drink.

Amendment *agreed to.*

MR. WARTON proposed to leave out the words "person whether, an." He said, these words were inconsistent with the Act of 1854, and the clause must be made consistent by saying "and every elector who accepts." He would ask the hon. and learned Attorney General to consider whether the omission of these words was not essential to the grammatical construction of the clause?

Amendment proposed, in page 1, line 21, to leave out "person whether an." —(*Mr. Warton.*)

Question proposed "That those words stand part of the Clause."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he was sorry that he could not accept the Amendment. It had been made an offence to treat a person other than a voter, because he might obtain the vote of another person who was an elector. Therefore, so long as it was an offence to give a voter beer, it should be equally an offence in the case of a non-voter. There were, however, some Amendments he should be willing to make. He would propose to insert the word "corruptly" before the word "accepts."

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 1, line 22, after the word "who," to insert the word "corruptly."—(*Mr. Attorney General.*)

Amendment *agreed to.*

MR. STAVELEY HILL suggested the substitution of the word "person" for "elector."

Amendment *agreed to.*

Amendment proposed, in page 1, after the word "person," to insert "if an elector."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 2 (What is corrupt practice).

MR. H. H. FOWLER moved, in page 2, line 1, after "Parliament," to insert "or laying any wager or bet on the result of any election." The hon. Gentleman said the practice had sprung up of, instead of bribing a man, making a bet against the side of the man laying the wager. That was another mode of bribing; and it had been held that where it could be shown that a bet had been made to induce a man to give his vote, that was a corrupt practice.

Amendment proposed,

In page 2, line 1, after the word "Parliament," to insert the words "or laying any wager or bet on the result of any election."—(*Mr. Henry H. Fowler.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he thought the hon. Member did not quite see the effect of this Amendment; for the effect of it would be, that if any person, anywhere, made a bet on any election with which he had no connection whatever, he would be guilty of a corrupt practice, and would be liable to imprisonment.

Amendment *negatived.*

Clause *agreed to.*

Clause 3 (Punishment of candidate guilty personally of corrupt practices, 31 & 32 Vict. c. 125).

MR. WARTON said, he had an Amendment to move in line 7, with reference to corrupt practices. It seemed to him a most unmerciful proposal that the terrible punishment named in the clause should be inflicted upon a candidate for the commission of a single corrupt practice, and therefore he wished some words to be introduced which would restrict the application of the penalty to cases in which corrupt practices had been committed to a considerable extent. He did not feel bound to the precise wording of the Amendment; all he desired was that it should be made clear that the penalty did not apply to one act only. A man might commit an act of the kind when in a state of drink, or appearances only might be against him; nevertheless, as the clause stood, he would be disqualified for 10 years for sitting in the House of Commons. In deciding whether this most severe punishment should be inflicted for the commission of a single corrupt act—and he contended that it should not—hon. Members would do well to bear in mind the sacred words, "Judge not, that ye be not judged." As he had said, he was willing that the wording of the Amendment should be changed, if necessary; and perhaps "corrupt practices to some extent" might be acceptable to the hon. and learned Attorney General. In the meantime, he begged to move the words he had offered to the Committee.

Amendment proposed,

In page 2, line 7, to leave out "any corrupt practice has," in order to insert "corrupt practices to a considerable extent have." —(*Mr. Warton.*)

Question proposed, "That those words be there inserted."

Mr. ONSLOW said, he hoped the hon. and learned Attorney General would agree to an Amendment which would carry out the object of the hon. and learned Member, even if his proposal were not accepted in its present form. For his own part, he thought the best words for the purpose would be "where corrupt practices have been proved." It certainly did seem hard that for one act of this kind alone the enormous penalties of the clause should fall upon a candidate. If what had been done during the Birmingham Elections — namely, giving breakfasts to persons who worked on the elections—had taken place under this Bill, they would not have had the two right hon. Gentlemen who were Members of the Government in the House at the present time. It seemed absurd that, because a particular individual gave a glass of beer to another, or treated him in any way, these severe penalties were to fall upon him. Moreover, one was equally liable whether a foolish thing of the kind were done by an agent, or any other person constituted his agent by becoming a member of an election committee in reference to the election, and that, in his opinion, constituted an additional reason why the clause should be modified.

Mr. CHAMBERLAIN said, the hon. Member who had just spoken was quite mistaken as to what had occurred at Birmingham. There had been no case whatever in which any candidate, or any agent of any candidate, or any person or association on behalf of a candidate, had given any breakfasts after the election.

Mr. WARTON thanked the hon. Member for Guildford (Mr. Onslow) for the suggestion of words that much improved his Amendment, and which he thought should be substituted for the words moved.

The ATTORNEY GENERAL (Sir Henry James) said, it would, perhaps, be more courteous to the Committee to state at once that he was quite unable to accept the Amendment proposed. It was only right that, to some extent, persons should be protected against the acts of their agents; but it must be borne in mind that the clause applied only to an act done with the knowledge and consent of the candidate.

Amendment *negatived.*

Mr. H. H. FOWLER agreed with the hon. and learned Attorney General that the clause should be made stringent with reference to corrupt practices. He had already expressed that opinion. But he objected to the last three lines of the clause, which provided, after the infliction on the candidate of the penalty of being incapable of sitting in the House of Commons for 10 years from the date of the Report, that he was also to be

"Subject to the same incapacities as if, at the said date, he had been convicted on indictment of a corrupt practice."

The candidate would not have been convicted by a jury; and, although it was intrusted to the Judges to determine whether the seat should be vacant, he did not think that a man ought to be subject to these penalties without conviction on trial. He begged to move the omission of the lines in question, and trusted the hon. and learned Attorney General would be able to agree to his proposal.

Amendment proposed, in page 2, line 14, to leave out from the word "void" to the end of the Clause.—(*Mr. Henry H. Fowler.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

The ATTORNEY GENERAL (Sir Henry James) pointed out that candidates were only incapacitated for having been guilty, knowingly, of a corrupt practice. The question was this—If a candidate had been disqualified from sitting in the House of Commons for 10 years, ought he to be allowed to vote during that period? He said no. It appeared to him wrong that a candidate guilty of corrupt practice should be allowed to vote, while a person in a more humble position was disqualified. Again, there would be no doubt that substantial justice would be done, because the candidate would always have an opportunity of being heard; and no Judge would be likely to inflict these penalties unless the candidate had knowingly committed the acts contemplated by the clause.

Mr. H. H. FOWLER said, he did not object to the incapacities at all; he claimed for the candidate that he should be tried. Let him be tried and convicted, if guilty, and he had no objection whatever to the penalties following; but if there was no trial and conviction, he certainly objected to the penalties.

Question put.

The Committee *divided*:—Ayes 124; Noes 54: Majority 70.—(Div. List, No. 81.)

Clause *agreed to.*

Clause 4 (Punishment of candidate guilty by agents of corrupt practices).

Amendment proposed, in page 2, line 20, after "whether," leave out "a candidate," and insert "any of the candidates."—(*Mr. Gorst.*)

Amendment *agreed to.*

Mr. SALT said, the object of the Amendment standing in his name was obvious. The penalties in the clause to which candidates might become liable, owing to the action of other persons, were so great that, in his opinion, it was exceedingly important that it should be made, beyond all doubt, clear that the act had been committed under the authority of the person liable to them. Having another Amendment to the clause on the Paper, he took the opportunity of saying that he considered that the penalties in the Bill were too great; and the effect of it, if passed in its present form, would be one of two things—either the best men in the country would be deterred from becoming candidates at all, or the Bill would defeat its own object, for everyone would be afraid to carry out its provisions. He would not go into any arguments in support of that view, but would simply move the Amendment of which he had given Notice.

Amendment proposed, in page 2, line 21, leave out "his agents," and insert "any agent (authorised in writing by himself to act on his behalf.)"—(*Mr. Salt.*)

Question proposed, "That the words 'his agents' stand part of the Clause."

The ATTORNEY GENERAL (Sir Henry James) said, he was not all indisposed to accede, in one sense, to the view taken by the hon. Member opposite with regard to the penalty in this clause. But, so far as the written authority to agents was concerned, he must point out that if candidates were protected in the manner proposed in the Amendment, they would only have to put pen and paper out of the way, and then there would be an end of their liability. Of course, he must not anticipate the next Amendment which the hon. Member proposed to move; but he might say that he was perfectly willing to give way to the feeling of the Committee on the subject of the period of disqualification. He had proceeded on the principle that the greater contained the less, and he was ready to agree to a limit of seven years if the Committee wished it. He trusted that this modification of the punishment would meet the hon. Member's Amendment, which he should be unable to agree to in the form in which it stood upon the Paper. With regard to the Amendment before the Committee, he trusted the hon. Member would consent to its withdrawal, inasmuch as, for the reasons advanced, it was quite impossible for him to agree to it.

Sir R. ASSHETON CROSS said, he agreed in the view of the hon. and learned Attorney General, that if it were required that agents should be nominated in writing, no agents would be nominated at all. For that reason he was unable to support the Amendment of his hon. Friend. At the same time, he was bound to say that with the spirit of the Amendment, and the arguments by which it had been supported, he entirely concurred. The Bill, if passed in its present form, would probably frighten the best men from becoming candidates; and he doubted whether, when the election was over, it would be put in force, because the tendency was to administer the Criminal Law in a lenient rather than in an inexorable spirit. He was glad to hear that the hon. and learned Attorney General was willing to agree to a reduction of the term of disqualification to seven years. Nevertheless, he was of opinion that the existing law went far enough, and when the time came he should certainly feel it his duty to press that view upon the Committee.

Mr. GREGORY was understood to say that he should have been glad if something in the direction of the Amendment of his hon. Friend could have been adopted. Unfortunately, in election cases the Law of Agency had been abrogated or reversed. The principle of the Law of Agency was that a man should only be liable for acts which were within the scope of the authority which he had delegated to another, much less for those which were of an illegal character; but a candidate at an election was not only made responsible for illegal acts and those which he had not authorized, but for acts of this kind committed by sub-agents whom he might have never seen, and to whom he personally might not have given any authority whatever. Before the Bill was passed, he hoped that some rule would be devised for regulating the appointment and nomination of agents, and which would limit the liability of candidates.

Mr. RATHBONE objected to the principle that candidates should be liable only for the acts of agents directly appointed by them. His opinion was that under such an arrangement any amount of corruption might exist, and the candidate would be subject to no penalty at all. Still, he thought the provision in the clause ought to be used with great care and discretion.

Mr. ONSLOW drew the attention of the Committee to the words "his agents" in line 21 of the clause. By Section 1, an agent might be some person who had committed a foolish act at a municipal election; so that a candidate might go down to a borough or county and appoint a man who had been an agent at an election in a municipality, where he had committed bribery, but of which the candidate knew nothing whatever. He put it to the Committee whether a person ought to be liable for such acts, of which he knew nothing? And, further, he asked the hon. and learned Attorney General whether he could define the term "agent," because it was difficult for any Gentleman seeking the honour of a seat in that House to know what an agent was, or to know what foolish thing he might have committed? In many towns there were both Liberal and Conservative Associations, as well as annual municipal elections, and members of these Associations might have committed acts of treating in connection with those elections, and be subsequently placed on Parliamentary Committees. Nevertheless, the severe penalties of the Bill might fall upon the candidate for acts of which he knew nothing, because it was provided in Clause 1, that—

> "Any person, who by himself or by any other person, either before, during, or after an election, directly or indirectly gives or provides, or pays wholly or in part the expense of giving or providing, any meat, &c. . . . . . shall be guilty of treating."

He thought it was really necessary that gentlemen who might become candidates for a seat in the House of Commons, under such circumstances, should know who were and who were not their agents.

Mr. HENEAGE said, it appeared to him that if the clause passed, no one would ever stand for an election with another candidate, because if the latter were supported by any Association, committee, or agent, the former would be liable for their acts. An hon. Member near him said that was the case now; but that, under present circumstances, made the case rather worse. They might make the penalties as severe as they liked on those who performed corrupt acts at elections; but why make the unfortunate candidate, who knew nothing of them, liable for heavy penalties? He could not support the Amendment before the Committee, because to call a man an agent only when he was appointed in writing would, in his opinion, be absurd; still, he thought the agent ought to be appointed by the candidate, and not be agent of any Association.

Lord GEORGE HAMILTON said, he believed it would be difficult for anyone accurately to define the term "agents," so that, on the one hand, candidates should not be improperly subject to the consequences of their acts, and, on the other, that they should not be able to free themselves from the legitimate consequences of the acts of their agents. Still, he hoped the hon. and learned Attorney General would devote his mind to the matter with a view to attaining the real object in view. He believed if the Bill had been in force in its present shape, and the same practices had occurred as had occurred during the last General Election, scarcely a Member of the House would not be liable to disqualification and heavy penalties. An incident had occurred in the course of this discussion to which he would for a moment ask the attention of the Committee. The hon. Member for Guildford (Mr. Onslow), in support of his argument, had stated that breakfasts had been given in Birmingham at the last Elections; and the right hon. Gentleman the President of the Board of Trade (Mr. Chamberlain) had risen, and, in perfect good faith, denied that that was the fact. But, curiously enough, the document which he held in his hand contained an account of the cost of the breakfasts to which the hon. Member for Guildford had alluded. A friend of his had gone to the office of the Town Clerk, at Birmingham, for the purpose of examining some documents, and there he met with the accounts of the election expenses of Mr. Bright, Mr. Chamberlain, and Mr. Muntz. In those accounts there were charges for a number of breakfasts, as well as several other curious items; for instance—

> "T. W. Wilson, £5 for creating a disturbance on the 27th of March." "All Saints' Ward, Breakfasts, £12." "St. George's Ward, Breakfasts for 166 men; 576 Sandwiches." "St. Stephen's Ward, 116 Sandwiches and 106 Cups of Coffee, 52 Breakfasts;"

and so on. There had clearly been many breakfasts; far more than were necessary. Another item was—

> "Cooking for election day, and taking four rounds of beef to the Free Christian Chapel."

These accounts were illustrations of acts that a candidate might become liable for through his agents; and he certainly did not wish to use them for the purpose of making any Party attack upon the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright) or the right hon. Gentleman the President of the Board of Trade. He simply pointed out that, if the Bill had been in operation at the time those breakfasts were given, they would have been liable to be for ever disqualified from sitting for the town of Birmingham in that House.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL): I rise for the purpose of saying that I understood the allegation to be that these breakfasts were after the election.

MR. ONSLOW said, that was not so. He had distinctly stated that the breakfasts were given by the candidates' supporters during the elections to persons who worked on the elections. He merely wished to point out, without making any observations in a Party spirit, that the practice which had existed in Birmingham would have disqualified under the present Bill everyone of the Members for Birmingham—a circumstance which showed how perfectly innocent persons would be punished; and, therefore, he trusted the Law Officers of the Crown would give their minds to the question before the Bill left the House, with a view to defining, as exactly as possible, what constituted "an agent" within the meaning of the Bill. He was quite aware of the difficulty of definition; but surely, under a Bill like this, bristling with such heavy penalties, some attempt ought to be made by the Law Advisers to define the extent of agency.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, it would be very desirable, indeed, if the term "agent" could be defined, as, no doubt, agents had often caused grievous wrong to individuals. But to ask for a definition was to ask for an impossibility. A definition had been promised by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), when the Ballot Bill was going through the House; but the right hon. Gentleman afterwards found that he had promised what it was utterly impossible for him to give. He (the Attorney General) could give no definition of the term "agent;" but he was quite willing to put the question to the test by asking any Member of the Committee to furnish him with a definition upon paper. If any hon. Member would be good enough to do that, he promised that the definition should have the fullest chance of adoption. He might, perhaps, be allowed to say one word with regard to the Birmingham Elections on behalf of the right hon. Gentleman the President of the Board of Trade. He was quite sure that the observations of the noble Lord (Lord George Hamilton) had not been made in a personal sense; but he was bound to say that his recollection of the statement of the hon. Member for

Guildford (Mr. Onslow) was that it was after the election that certain persons had received breakfasts.

Mr. ONSLOW explained that what he had said was, that it was during the election, and for the purposes of the election, that the breakfasts were given. His remarks had reference to the second line of Clause 1, which made treating a corrupt practice "before, during, or after an election;" so that, according to the wording, it was quite immaterial when the breakfasts were given.

The ATTORNEY GENERAL (Sir Henry James) said, in that case, he was sure, although he quite accepted the statement of the hon. Member, that his right hon. Friend had misunderstood the allegation. No doubt, coffee and beef during election-day were a fair refreshment that any candidate had a right to give to his clerks. He did trust that now the Committee would be allowed to proceed to a division.

Mr. NEWDEGATE said, he recognized the difficulty in which the hon. and learned Attorney General was placed; but, at the same time, he fully felt the force of some of the observations which had fallen from other hon. Members. They were bound to define who was an "agent." This was one of the difficulties arising out of the system of secret voting. The evil was felt in the United States; but the remedy there was the enormous size of the constituencies. In the United States they had manhood suffrage, and it was, of course, impossible to bribe the whole of the constituencies. That was how they escaped in America; but he fully appreciated the difficulty there was in escaping the evil in a small constituency, and had done so ever since he had visited America for the purpose of seeing the Ballot in operation there. He had the same feeling about it that Lord Palmerston had, and that feeling he should continue to entertain. If the Government would prevent corruption in limited constituencies, retaining the Ballot, they were bound to define "agency," and who an "agent" was. It was absolutely necessary that this should be defined if justice was to be done; and when the hon. and learned Attorney General spoke of its being impossible, his reply was—"Then, if it is so, you are to blame; you have defined the crime and the criminal; you have undertaken to punish someone whose action and responsibilities you have not defined and have not the means of ascertaining." He foresaw that immense injustice would be done in limited constituencies, unless the meaning of "agents" was defined.

Sir ANDREW LUSK said, he did not wish to throw any obstacle in the way of the Committee; but he did think that the hon. and learned Attorney General should endeavour to make some little concession on this clause. At present, the provision was excessively stringent and severe. The matter was not of such interest to him (Sir Andrew Lusk) as it was to hon. Members who had small constituencies, because in a large constituency like his there was no bribery. The hon. and learned Gentleman had put a case to them, and had said he should like anyone to define what "agency" was. Well, those Members of the House who had to sit on the Magisterial Bench had every day to decide what agency was. ["No, no!"] Some hon. Members demurred to that statement; but he maintained that such was the case. Day by day they had to decide whether certain individuals were agents or servants—there was no mistake about it. They had to do it. The hon. and learned Attorney General had framed the clause in such a way that he did not believe any hon. Member in the House could go through the purest contested election without there being a possibility of bringing him in—through his "agents"—guilty of bribery and corruption. He did not think it was possible to save a candidate from these dreadful penalties; he had looked carefully through the Bill, and that was the conclusion to which he had arrived. The Committee ought to look into the matter with the very greatest care. "Shall not be capable of ever being elected again," was a frightful thing to say; and he would put it to the hon. and learned Attorney General whether it would not be advisable to make the clause a little less stringent.

Mr. WHITLEY said, he appreciated the difficulty of defining "agent;" but he quite felt that unless some definition of "agency" were arrived at, every Member of the House would be in the greatest peril. In the constituency he represented (Liverpool) there were 66,000 voters and 123 or 126 polling districts; and he apprehended that in every one of these polling districts every poll clerk would be, in some sense or other, an "agent." But this was not the worst. Besides these poll clerks there were other clerks and messengers employed; and he feared that, under the Bill as it at present stood, he would have to be responsible for the acts of all such people engaged on his own side. He certainly thought that if they were to maintain the tone and character of the House of Commons, it must be done by maintaining the honour of men who were anxious to do their duty faithfully, and to put down bribery as far as possible. What would be the consequence if Parliament made them responsible for the acts of men over whom they had no control, and whom they had charged in every possible way to be guilty of no act of bribery and corruption—if Parliament exposed candidates to the penalties of this legislation for the wrong acts of such people? Why, there would hardly be a Member whom it would not be possible to unseat. There should be a clause inserted in the Bill to the effect that if it could be proved that an agent had committed a wrong act without the consent or against the express orders of the candidate, the candidate should be absolved from the consequences of that wrong act. If the Bill passed in its present form, it would put every Member and every candidate in peril. It was a dangerous thing to throw on a large number of men the power of turning out a candidate at any time. The hon. and learned Attorney General had told them of the difficulties of the situation; but he was increasing those difficulties by increasing the responsibilities of a candidate—by making the candidate responsible for the acts of so many people in such things as treating.

The ATTORNEY GENERAL (Sir Henry James) said, there was no alteration whatever in the law in that respect. According to the present law, treating by an agent would unseat a man. He made no alteration in this respect, or in this clause, except as to the term during which a candidate was disqualified.

Mr. WHITLEY: But you are increasing very much the responsibility of the candidate.

The ATTORNEY GENERAL (Sir Henry James): No, no.

Mr. WHITLEY said, that according to his reading of the existing law and the present Bill, the new proposal of the hon. and learned Gentleman would very much extend the responsibility of a candidate for the acts of his agents.

The ATTORNEY GENERAL (Sir Henry James) said, that with the exception of the term during which a candidate could be disqualified from sitting in the House—upon which he should be willing to meet the Committee—there was no alteration of the present law in the clause.

Mr. WHITLEY: By this clause a candidate would be disqualified from sitting for life.

The ATTORNEY GENERAL (Sir Henry James): The clause is going to be modified in that respect.

Mr. WHITLEY said, he was glad to hear that, because, at present, it was a most serious thing; but he thought the hon. and learned Attorney General ought to go farther than that, and make some attempt in some way or other to define "agency."

The ATTORNEY GENERAL (Sir Henry James): I wish you could do it.

Mr. WHITLEY said, that to leave the word undefined would be a most perilous thing. No one would go to a greater length in the punishment of bribery than himself. He had no sympathy whatever with those who bribed or treated; but still the Bill would throw on a candidate an enormous responsibility for a thing he might have done everything in his power to prevent, and the matter was a serious one that every Member of the Committee ought most carefully to consider. The question was not one to be discussed from any Party point of view. The integrity of the House was dear to every Member of the House, and he should, therefore, regret exceedingly to see any division on the Bill taken on Party grounds. He did not believe the hon. and learned Attorney General had brought forward the Bill in any Party spirit, and he should be exceedingly sorry if his Friends on that (the Opposition) side of the House dealt with it as a Party measure. Let it be their earnest desire on all sides to make the Bill a practical measure that would punish, and severely punish, the briber and the man who treated and corrupted a constituency; and he would ask the Committee to consider very carefully indeed whether they should go farther than that, and, in punishing the candidate for the act of his "agents," punish one who was entirely innocent, and had done all he could to discourage bribery.

Mr. GORST said, everyone would agree that it would be a very good thing if they could define "agency" in the Bill; but he thought almost everybody must be convinced of another thing—namely, that such a definition was impossible. He did not see that any Member of the House had succeeded in putting on the Paper an adequate definition of "agency." He himself had attempted to define it, but had not been successful in his endeavour. It seemed, therefore, inevitable that the question who was, or who was not, an agent, would have to be left to be dealt with by the Election Court—just as the worthy Alderman who had just spoken (Sir Andrew Lusk) dealt with it in his Court—according to the facts of each particular case. With regard to the responsibility which was imposed on a candidate for the acts of his agents, everyone had always felt that there was something very hard in making a candidate at an election liable for what was done by persons whom he had not appointed, whom he could not control, and of whose conduct he was, to some extent, ignorant. No doubt, they were obliged to make the candidate responsible so far as the validity of the election was concerned, because, if they did not, people would bribe and treat right and left, avoiding direct connection with the candidate. In this respect the clause did not make a candidate one bit more responsible for the acts of his agents than he had been for the last 20 years. The law as to the responsibility of a candidate for the acts of his agents—in fact, in this Clause 4—was exactly the same as that which had prevailed for the past 20 years, the only difference being that it made the consequences to the candidate of the illegal acts of his agents far more serious than they had hitherto been. The hon. and learned Attorney General was willing to discuss with the Committee the desirability of modifying the provision affecting these consequences; therefore, it did not seem to him (Mr. Gorst) that there was any reason why they should any longer delay the progress of the Bill by discussing the question of agency, which no one was in a position to solve. He might, however, say that when the proper time came, he should propose some words in the clause to mitigate still further the consequences which the illegal act of an agent had on the validity of an election; because it had always seemed to him, and he thought it seemed also to other people, unreasonable that an election which had been fairly conducted in other respects, and in which every possible precaution had been taken by a candidate and those who managed affairs for him to keep it pure, should be voided, and the constituency put to the trouble and expense of a fresh election by one or two isolated acts of corruption. The Election Judges, when unseating a Member, had been known to state that they regretted very much being obliged to do that when they knew very well the man had won his election very fairly. Therefore, when the proper time came, he should bring forward a proposal to the effect that, though *primâ facie* a corrupt act by an agent should void an election, if the candidate could prove to the satisfaction of the Court that he had exercised every care in the appointment of his agents and the conduct of the election, and if the Court was satisfied that the corrupt acts proved had not affected the result of the election, the Member should still retain his seat.

Mr. Serjeant SIMON said, the difficulty arose not so much from the difficulty of defining what an election agent was, but from the fact that the agent who at Common Law could only make his principal liable when he acted within the scope of his authority, in election matters could make him responsible even where he acted in the teeth of the directions he had received. The reason why candidates were made responsible for the acts of their agents in this way was this, that the relations between the two parties in election matters were not the same as the relations between them for the ordinary purpose of contracts only. An election was a matter concerning the public interest, not an affair between the candidate, a party to a contract, with someone on the other side. It was a contract, if at all, between the candidate and the public, an undertaking by him to the public that the election should be conducted in a pure manner, according to law; and if that contract or undertaking was violated, the law, upon public grounds, held the candidate liable for the acts of his agent. This was very hard indeed on the candidate, and sometimes on the constituency also, who might have set their minds on a particular candidate—a large majority of whom might have properly returned him—while its will had been defeated by the acts of a few corrupt persons. [An hon. MEMBER: It might be only one act.] That was so. It might be only one act committed by one corrupt person. He thought they might do this—they might mitigate the severity of the law as it affected not only the candidate, but the constituency. He was sorry the hon. and learned Attorney General was leaving the House, for he had had a conversation with him on this matter. He forgot whether he had discussed the question with the hon. and learned Solicitor General; but he had talked over the term during which a candidate should be disqualified with the Attorney General, and his hon. and learned Friend had agreed to limit the period to 10 years. [An hon. MEMBER: Seven years.] Well, seven years; he hoped the period would be limited still further. He would suggest that later on they should add the Proviso at the end of the clause, which was embodied in the words the hon. and learned Solicitor General proposed before the Select Committee of 1875, of which both he and his hon. and learned Friend were Members—namely,

> "That if, on the whole of the evidence, the Judge is satisfied and is able affirmatively to find that the election was a pure one, and that the instances of bribery and corruption have been exceptional only, and have not been such as would have affected at all the result of the election, the Judge shall not unseat the Member."

He was sorry he had not been able to give the hon. and learned Attorney General Notice of this, which had not struck him until this afternoon; but the idea was not new, at least to one of the Law Officers of the Crown, as he had intimated. He did not know whether his hon. and learned Friend had altered his views; but he intended to make this proposal, and he would now only say, with regard to the term of disqualification, that he was glad the Attorney General intended to save him the necessity of proposing his Amendment, of which he had given Notice, by accepting his (Mr. Serjeant Simon's) proposal in even a more lenient form.

MR. GRANTHAM said, the Committee were obliged to the hon. and learned Gentleman the Member for Dewsbury (Mr. Serjeant Simon) for having brought to their notice the hon. and learned Solicitor General's opinion. If the hon. and learned Member for Dewsbury had not drawn attention to this opinion, however, he (Mr. Grantham) had intended to do it. It was impossible to define "agency." Before the last General Election, Members had been unseated for the smallest acts of treating, although those acts had been in contravention of the orders of the candidate; and it was very hard that when a candidate had done all he could to make an election pure, he should not only lose it through the act of an agent, but be held responsible for the consequences of the thoughtlessness of that person. He had intended himself to bring forward some such proposal as that which had passed through the mind of the hon. and learned Solicitor General some years ago. Where they were obliged to leave it to a Judge to determine whether a man was an agent or not, they ought also to leave it to the Judge to say what should be the effect of his act. If they left it with the tribunal to judge in the one matter, they should leave it also with the tribunal to judge in the other. The Judge should be called upon to say, first, whether corrupt practices had been proved or not; and, if they had, then what was the heinousness of the offence. Where the door was so wide, the Judge should have some discretionary power to say whether the whole penalty, or only a portion of it, should be inflicted. He hoped the Law Officers of the Crown would take this matter into their consideration again. He fully agreed with hon. Members as to the difficulty of defining the word "agent;" but he certainly thought they should leave it to the Judge to say whether the effect of conduct that was proved against an appointed agent ought to bring on the candidate the heavy penalty it was proposed to inflict.

CAPTAIN AYLMER said, the hon. and learned Attorney General had informed the hon. Member for Liverpool (Mr. Whitley) that they had followed the Act of 1854; but if they had followed that Act, they would not now have found themselves in this difficulty. In the Act of 1854 the word "agent" was in the singular. It said no candidate should be guilty of corrupt practices "by himself or agent directly or indirectly." It was an easy thing to prove whether or not a person was "the" agent or not. The present Bill contained the words "any candidate and his agents by him appointed." Therefore, in saying he had followed the Act of 1854, the hon. and learned Gentleman was going a little beyond the mark, having put "agent" in the plural. If the hon. and learned Gentleman would consent to the word being used in the singular, the difficulty would be got over. When the time came, he (Captain Aylmer) would move the omission of the letter "s" from the word "agents."

The SOLICITOR GENERAL (Sir Farrer Herschell) said, that would be no use, as there was an Act in force which would put in all the "s's," unless it was shown that they were not consistent with the context.

Mr. SALT said, that, as the hon. and learned Attorney General had declared his intention of making some important alterations in the measure, and as they would come under consideration almost directly, he proposed to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Mr. DIXON-HARTLAND said, an Amendment of his was next in order, after the word "agents" in line 21. The House, he thought, had not taken notice of the case where a candidate was entirely in the hands of his agent, and where the agent went in an entirely opposite direction to all the candidate's instructions, wishes, and principles.

Mr. Serjeant SIMON said, he thought the hon. Member was referring to an Amendment which came after one he (Mr. Serjeant Simon) had on the Paper.

Mr. DIXON-HARTLAND said, that was not the case. There was a case actually within his own knowledge where an agent, for his own purposes, had actually disguised what he was going to do that was improper, and went against the orders and wishes of his principals. It seemed very hard that a Member should be unseated through the act of such a person as that. Therefore, he proposed to insert, after the word "agents," the words "with his knowledge or sanction."

Amendment proposed, in line 21, to insert, after the word "agents," the words "with his knowledge or sanction."—(*Mr. Dixon-Hartland.*)

Question proposed, "That those words be there inserted."

The SOLICITOR GENERAL (Sir Farrer Herschell) said, he could not accept the Amendment, as it would clearly limit the provision to cases in which the candidate was guilty of bribery and corruption himself. By adopting the words "with his knowledge and sanction," the offence would become personal, and the candidate's agents would be perfectly at liberty to bribe, treat, or do anything they thought proper, if the candidate shut his eyes to it. No evil consequences to the candidate would follow. In fact, if this proposal were adopted, it would render the whole Bill nugatory.

Amendment *negatived.*

Mr. WARTON asked whether they were still at the word "agents?"

The CHAIRMAN replied, that it was competent for an hon. Member to propose an Amendment after the word "agents."

Mr. WARTON said, that, in that case, he proposed to insert, after the word "agents," the words "by him appointed," although he supposed it would be negatived, in consequence of the Amendment which had been withdrawn. When they considered the stringent manner in which the clause was drawn, and that if a single improper act was proved—such as giving a single glass of beer worth 2*d.* to a person who was not a voter—the Member would be unseated, such an Amendment as this should find favour with hon. Members. As he said, the giving away of a single 2*d.* glass of beer by an agent could be made into a charge of corrupt practice. By such a trivial act as this, the whole machinery of the Act would be evoked; an Election Court would sit, and that Court would decide whether the glass of beer had been given away corruptly or not. He was obliged to put the case in this way. It sounded rather ridiculous, he admitted; but the fault was not his. A Report with reference to this glass of beer would have to be made to Mr. Speaker; also as to whether the candidate or his agents were guilty. The hon. and learned Attorney General seemed to despair of being able to give a definition of an agent. He could give him one—namely, "any man who did anything illegal at an election, and said he did it in the interests of the candidate." That also, perhaps, sounded ridiculous; but such, practically, would be the definition if the Bill was passed in its entirety. If the hon. and learned Attorney General, the highest legal authority in the House, was unable to give them any better definition of agency, he (Mr. Warton) would urge him to accept the Amendment he had just moved—namely, in line 21, after the word "agents," to insert "by him appointed." The hon. and learned Gentleman would find that in the 31st section of the Act of 1854. He would call the hon. and learned Gentleman's attention to the fact that in the Schedule he had referred to there was only one agent whom the candidate could pay. Well, this agent, it seemed to him, should be appointed in writing. If the candidate could only pay one person, was it right that he should be liable for the acts of a great many other people who might choose to appoint themselves his agents?

THE CHAIRMAN: I would point out to the Committee that the hon. Member for Wolverhampton (Mr. H. H. Fowler) has given Notice of an Amendment for this stage. I do not know whether he intends to move it.

MR. H. H. FOWLER said, that, after the remarks that had fallen from the hon. and learned Attorney General—as he felt the difficulty there was in defining "agency"—he did not intend to move his Amendment. When they came to illegal practices, which were an entirely new offence, and for which there was an entirely new penalty, he should certainly press every Amendment he could for the purpose of defining "agency," and restricting the new offence which the hon. and learned Member created.

Amendment proposed, in page 2, line 21, after "agents," to insert "by him appointed."—(*Mr. Warton.*)

Question proposed, "That those words be there inserted."

SIR R. ASSHETON CROSS said, he hoped the Amendment would not be pressed. They had all paid attention to the difficulty of putting any definition on the word "agent." It was perfectly true that it could not be done. They might say that the agency should be the Common Law agency. He was not going to suggest that; but, at the same time, that agency was perfectly understood. The difficulty, however, would be, that directly they started that, people would go beyond it, and they would get the most corrupt elections imaginable. He thought they had much better leave the question of agency exactly where it was.

MR. ONSLOW said, the hon. and learned Attorney General had not answered the question he had put to him some time ago. He must press for an answer. Did the hon. and learned Gentleman mean to include any person who might have been guilty of a corrupt practice at a municipal election? The words were "himself or any other person." That "other person" might be the recognized agent of a candidate at a Parliamentary election, a person living in the county. Was the person who stood as a candidate in a county or a borough—because there were many parts of England where municipalities were included in a division of the county—to be included? He would illustrate what he meant by stating what might occur in his own county—which he knew, perhaps, better than any other—although the practical result had nothing to do with that part of the county he represented. The borough of Godalming was a municipality in the Western Division of Surrey. Were they to suppose that to employ at a Parliamentary election any person who had committed an illegal act during a municipal election in Godalming would render the candidate responsible for that illegal act? The person who did the illegal act might be a working man, and he might be employed by his hon. Friend the Member for West Surrey—or, perhaps, by some Liberal candidate—and his hon. Friend, or this Liberal candidate, would be responsible in the county for what someone who might afterwards become his agent had foolishly done in the borough? This man might be on one of their committees during an election — he would come under the category of "any other person." The candidate might know nothing against him; and the other side, knowing something, might retain what they knew, refraining from raising any objection at the municipal election, and husbanding their knowledge for the Parliamentary election. At that time, a disclosure of some foolish act, of which this person might have been guilty at a municipal election, would bring the candidate under the penalties of this clause.

THE ATTORNEY GENERAL (Sir HENRY JAMES): No; that is not so.

MR. W. H. JAMES said, he wished to ask the hon. and learned Attorney General a question. When the Bill was being discussed on the second reading, there were some suggestions made as to the Schedule——

THE CHAIRMAN: Order! There is an Amendment before the Committee. Does the hon. Member wish to speak on that?

MR. W. H. JAMES said, he wished to ask his hon. and learned Friend whether it was his intention, on any portion of this clause, to make a statement as to the Amendments he proposed to introduce into the Bill?

THE CHAIRMAN: That point cannot be raised on this part of the Bill.

Amendment *negatived.*

MR. GORST said, he wished to move the insertion of the word "any," in place of the word "a," in line 23. It was a purely consequential Amendment.

Amendment proposed, in page 2, line 23, leave out "a," and insert "any."—(*Mr. Gorst.*)

Amendment *agreed to.*

MR. SERJEANT SIMON said, he wished to amend the clause, in line 23, by inserting, after the word "has," the words "through negligence, or want of due care in the appointment or control of his agents." It seemed to him that the hon. and learned Attorney General might mitigate the severity of the clause. He did not wish to repeat the arguments, so elaborately gone into, as to agency; but he would say this—that when they considered that this Law of Agency was a special law, not only different from the ordinary Common Law of Agency, but directly opposed to it, and that they were making a man liable, not for acts he had authorized, but for acts which he had forbidden, and done his best to prevent, they could not be too careful in the safeguards they adopted. The Committee ought to protect the persons who might be responsible for the acts of others by such words as those he proposed. Of course, a candidate at an election knew who his agent was, for he would have the appointing of him; but he would not appoint all those whom the law would recognize as his agents, and for whose acts he would be held responsible. When all the provisions of the Bill were considered, it did seem to him that there ought to be some protection given, not only to the candidate, but to the constituency, whose interests were concerned in the purity of the election. When a candidate went down to a county or a borough, he had a person introduced to him as the regular agent of the place—a gentleman of integrity, ability, and character—and he accepted him as his agent, for the most part, on the recommendation of the friends who had introduced him to the constituency. He could do no less than accept this gentleman; but, in the course of the election, other persons stepped in, whom the law recognized as agents, but whom he had no control over, and of whom he knew nothing whatever. Yet, under this clause, he was to be made liable in the future for that for which he was not liable now. He might by these people be, in a manner, discredited, disgraced, and deprived of all those honours and privileges of civil life in which society was interested, and the duties of which it was important that men of character should be ready to fill. He therefore proposed these words, to provide that a candidate should not be liable for the acts of those persons belonging to the class to which he had referred. At the same time, a candidate must not be allowed to go down to a place and act with indifference and without regard to what was right and proper in the conduct of an election. If a candidate went down to a constituency, and engaged as his agent a man who was notorious for bribery and corrupt practices—a man who, it was well known, would do wrong—then, of course, he ought to be liable for the acts of his agent. When, however, he had made due inquiries, and had done all in his power to secure a person who would conduct the election honestly and purely, it was very hard to make him liable. A candidate ought to control the conduct of an election, and to have information as to how an election was going on; and a Judge, when he came to administer this clause, would inquire whether the candidate had been really careful in the appointment, and in controllng the agent's actions, in order to prevent undue practices?

Amendment proposed,

In page 2, line 23, after "has," insert "through negligence or want of due care in the appointment or control of his agents."—(*Mr. Serjeant Simon.*)

Question proposed, "That those words be there inserted."

The ATTORNEY GENERAL (Sir Henry James) said, he did not know whether the Committee, at the present moment, could realize the scope of that Amendment; but, if accepted, it would be the most serious thing in support of corrupt practices that could be devised. He would rather abandon the Bill than adopt the proposal. By the clause it was determined for what causes an election should be declared void; but the hon. and learned Gentleman the Member for Dewsbury (Mr. Serjeant Simon) proposed that an election should not be void unless the candidate had himself been guilty of negligence in appointing agents, or had not exercised proper control; and he had supported that Amendment by appealing to the Committee upon the hardships of candidates being held liable for the actions of their agents. That was not a question for the candidate alone; it was a question for the constituency. There were pure and impure men in elections. It was admitted that a pure man ought to be free, and the impure man ought to be held guilty; yet the hon. and learned Member proposed that while the pure man might be rejected, the impure man might be admitted, unless he had been guilty of negligence. Suppose a candidate was abroad. In his case there would be no want of control while abroad, or negligence; and yet if it was proved that 1,000 voters had voted, and 800 of them had been bribed by agents, the election would be a perfectly good election. Was that fair to the constituency? Then, in the case of a large constituency, what personal control could a candidate have over his agents? Candidates might have some control over agents appointed for election purposes, but not over voluntary agents; and yet, unless it was shown that the candidate personally had been guilty of neglect, through this Amendment bribery would take place. He must ask the Committee not to accept the Amendment.

Sir R. ASSHETON CROSS thought this discussion on the law of agency showed how much they all felt the difficulty they were in, and that it was only because of the necessities of the case that they consented to be so checked. In an election the great object was to gain a seat; and, for that purpose, people of all Parties were willing to incur penalties which they otherwise would not. He should vote against the Amendment, because, in his opinion, it would defeat the whole object of the Bill; and the hon. and learned Attorney General was quite right in saying that the Bill had better go than have that provision inserted in it. At the same time, when the latter part of the clause was reached, he hoped the hon. and learned Attorney General would reconsider the question of the penalty.

Question put, and *negatived.*

Mr. GREGORY said, he wished to propose, as an Amendment, in page 2, line 24, to leave out from "that" to "borough" in line 26, being the portion of the clause containing the new penalty to be inflicted on a candidate for the action of his agent. He did not propose to leave out the whole of the provision, but only the disqualification. The penalty as proposed in the clause would disqualify a man for ever from sitting for a county or other constituency, and that for an act of a man who it was said to be impossible to define. He proposed to provide that a man should not be so disqualified by the action of his agent. All were agreed that it was difficult to restrict the meaning of "agency" as at present defined. Under the late law the election would merely be void.

The ATTORNEY GENERAL (Sir Henry James) explained that, under the present law, a candidate who had been unseated could not be re-elected during the then existing Parliament; but the proposed Amendment of the hon. Member opposite (Mr. Gregory) would enable such a candidate to return to the constituency and be re-elected immediately.

Mr. GREGORY said, he would not move his intended Amendment if it was understood that the law was not to be carried further than it stood at present.

Mr. GORST said, he wished to move an Amendment with the object of leaving the law as it now stood. He thought it was agreed that the House should do nothing in the shape of a punishment of a Member of Parliament or a candidate for acts not done by his direction or orders; and that the only reason why the present disability existed was that otherwise the moment a man was unseated for corrupt practices the constituency could return him again. He believed that was the reason why it was found necessary to impose on a candidate a disability from sitting again in the present Parliament. He could quite understand the reason for the present law, and he believed that its abrogation would have a bad effect, as the hon. and learned Attorney General had said. It seemed to him that the law at present was sufficiently severe, and that it was enough to say that when a candidate had been unseated for corrupt practices by his agent, he should be unable to sit in the present Parliament. The burden of proof was with those who differed from him.

Amendment proposed, in page 2, line 25, after "not," to insert "during the then existing Parliament."—(*Mr. Gorst.*)

Question proposed, "That those words be there inserted.

Mr. HOPWOOD said, he was rather inclined to accept the challenge of the hon. and learned Member for Chatham (Mr. Gorst); and he would assume that a man who, by his agent, had been guilty of any corrupt practices, could not be re-elected for the same Parliament. But then, how long was the Parliament to last? If only for six months, was that a sufficient corrective against the corrupt influences he had extended over the borough. If the hon. and learned Member would go as far as to say that six months was not long enough, would he say a year or two years? If so, he (Mr. Hopwood) believed he could get the hon. and learned Member to seven years, because that was the legal life of a Parliament, and that might be adopted as a safe test by which it could be made dangerous for a candidate so to butter, or water, or manure a constituency, that, if he was unseated, he could, in a short time at all events, reap the benefit of his beneficence through his agent. The constituencies had no one in the House to represent them in that argument; and he was anxious to spread among the constituencies—at least, those who were sincere in the matter—that whatever an agent should do corruptly, he would do it at the peril of hurting the man in whose interest they said or pretended they were acting; so that friends who were injudicious would be curbed in their want of judgment by finding that they were likely to defeat their own object. That was the principle upon which Parliament should proceed in order to put down corruption in Parliamentary elections.

Sir R. ASSHETON CROSS said, very often a constituency set their minds upon some particular man whom they wished to represent them; but some indiscreet person, over whom he had no control, might make the election void. That was perfectly right; but the unfortunate candidate should not be prevented in such a case from election when another election took place. It might be argued that a man would be content to be unseated at once, in order that he might gain the effect of his previous bribery; and he (Sir R. Assheton Cross) could imagine that being the case; but he did not think that a man who had had enormous election expenses would be willing to undergo such a punishment. On the other hand, the Committee must consider whether they were not really going too far. Had they been able to show one case in which the existing law was not quite sufficient? He defied anyone to show a single case; and, at all events, they ought to have strong proof before they went beyond the existing law, which, he thought, was sufficient. Unless it could be shown that, under the existing law, cases had happened in which people had deliberately bribed at one election, and gone to all the expense of securing the next election, the present law should not be altered. He hoped the hon. and learned Attorney General would give way upon the point.

The ATTORNEY GENERAL (Sir Henry James) said, there were many views to be taken of this matter. In the first place, he had abandoned his own view, and the hon. and learned Member for Dewsbury (Mr. Serjeant Simon) having suggested 10 years, he had abandoned his support of that proposal. The hon. Member for Knaresborough (Mr. T. Collins), and the hon. Member for Stafford (Mr. Salt), had proposed seven years; and the Committee would practically have to decide between that and the view of the right hon. Gentleman opposite (Sir R. Assheton Cross). There was much to be said on each side, and the Committee would have to consider how they could best meet the necessities of the case. He did not consider the candidate so much as the constituency; and he wanted the pure element in a constituency to defeat the impure element, and to enable the element which was not wealthy to contend successfully against that which was wealthy. What was the position of a person disqualified by the action of his agents? The right hon. Gentleman opposite had rightly pointed to a case in which there might be an isolated instance, or a very small amount of corruption; but those were not cases to be considered, because Members were seldom unseated for them; and the Bill dealt with cases of a large amount of corruption. As had been stated by the hon. and learned Member for Stockport (Mr. Hopwood), it was only provided that an unseated candidate should not sit in the then-existing Parliament. A candidate who had spent large sums of money on one election might, in some cases, in a comparatively short time claim his own amongst those who had been previously corrupted; and they, in grateful recollection, would at once accept him as against a pure candidate. The advantage of seven years over 10 was that an unseated Member was prevented from reaping the benefit of what he had sown for a period during which the constituency would have time to reflect upon their conduct, and in which a new candidate could seize hold of the constituency by placing himself before it. It seemed to him that they would be taking a middle course by accepting the suggestion of seven years; and so would, to a great extent, protect the pure against the impure in an election.

MR. DONALDSON-HUDSON said, the hon. and learned Attorney General seemed to assume the case of a candidate who had corrupted a constituency in a wholesale way; but he (Mr. Donaldson-Hudson) should like to point out that this Clause 4 did not contemplate the case of any candidate who had wilfully corrupted a borough or county. Cases in which corruption had been effected with the knowledge of the candidate were amply met by the 3rd clause, which distinctly stated that where corrupt practices had been committed by or with the knowledge and consent of a candidate, then severe penalties should follow—and those penalties he by no means considered too severe in such cases. But Clause 4 only dealt with cases in which the candidate was innocent; and knew nothing about what might be isolated instances of corruption. Therefore, they would be committing grievous injustice upon such a candidate if they made the penalties more severe than they were at present; and he thought there was everything to be said in favour of not increasing the penalties, and that it would be an anomaly that a candidate should not be able to sit again during the existing Parliament.

COLONEL NOLAN observed, that the hon. and learned Attorney General had omitted to point out the great changes of principle involved in this Bill. The first point was this—under the old law, no penalty beyond disability during the existing Parliament could be imposed on any candidate unless he was found guilty by a jury, and then he could be excluded for seven years. That principle was, however, removed; and they must now trust to the word of the Judge. He had also told them that the candidate was to be held responsible for the wholesale corruption which might be committed in his behalf. He was to be responsible for the acts of all of his agents, and it was impossible to say in what case he was not to be considered guilty. He (Colonel Nolan) had no desire to press his own opinion; but he had consulted persons who might be said to approach in eminence and legal knowledge on this subject even the hon. and learned Attorney General, and he was informed that if a candidate canvassed a man in the presence of another person, that other person became an agent merely in consequence of that fact. The candidate would never know when he was not making an agent. He might easily know when he was doing so, but he would never know when he was not, so long as he happened to be speaking to two men; and very heavy penalties were to be inflicted on him, not only for canvassing personally, but for connecting himself with any individual who might prove to be an imprudent person. The moment the Bill was introduced, not this year, but shortly after the present Parliament first met, he (Colonel Nolan) raised a strong objection to it when he saw the stringent provisions of the Bill, and especially this terrible clause. The hon. and learned Attorney General assumed that the Judge would be perfectly pure and free from political bias; but he (Colonel Nolan) did not assume anything of the kind, as a matter of course. He believed that in many cases the constituency would be much purer than the Judge; and one objection he entertained to the Bill was that in such cases it enormously increased the power of the Judge. In fact, the Bill shifted, as it were, the centre of gravity from the Representatives of the people to the Crown, as represented by the Judges. It was acknowledged that, on the whole, during the last 20 years the Election Judges had acted fairly, but there had been numerous objections to their decisions; and by this Bill he contended that the Government were weakening the power of the people. It was not a move in a popular direction, but was one altogether in the direction of strengthening the power of the Crown. Nothing would keep the Judges in the right path better than to allow the constituencies to say whether they were right or wrong; and the only way in which they could express that opinion was by permitting the candidate to come forward again for election. He knew that it was quite possible for a man to spend a large sum of money in bribing a constituency; but he believed that this clause would be used by a Judge who had a dislike to a man's politics, or to a man himself, for the purpose of permanently disqualifying him. The whole of the argument of the hon. and learned Attorney General, when he said that this was a clause in favour of the poor man, was wrong. It was a clause entirely in favour of the rich candidate, who, by means of his wealth, would be able to work much more subtilely than the poor man. He could make his wealth felt, and insure the opening out of a future market; whereas the poor man, if he came in contact with an impetuous, an ignorant, and occasionally a treacherous agent, would invariably be petitioned against and unseated. And the poor man was much more likely to have a treacherous agent than the rich man, who only worked by indirect means, and knew very well the proper man to go to. Instead of guaranteeing freedom of election, the clause would have an entirely contrary effect, and would be entirely in favour of the man with corrupt motives. He, therefore, trusted that the Committee would refuse to pass it in its present form.

Mr. GORST said, he wished to answer the illustration which had been given by the hon. and learned Attorney General. His hon. and learned Friend spoke of a wealthy man spending a large sum of money in his election; but he thought his hon. and learned Friend must have forgotten the subsequent clauses of the Bill, because any candidate who expended more than a certain scheduled sum in an election would be held to be guilty of an illegal practice, and if convicted of an illegal practice would be debarred, not for seven years, but for ever, from representing the constituency with which the illegal practice had been associated. Now, he (Mr. Gorst) did not in the least object to a penalty which should debar a person from sitting for seven years, or even for ever, if he had himself been guilty of a corrupt practice; but he contended that under this Bill the illustration of his hon. and learned Friend would fail, because it would be impossible for any person to spend a lavish sum of money without rendering himself liable to a conviction for having committed an illegal expenditure. His hon. and learned Friend told the Committee that he pressed this clause in the interests of the constituencies themselves. He (Mr. Gorst) believed that in pressing his Amendment he was doing so in the interests of the constituencies. He thought the constituencies ought to be limited as little as possible in the choice of Representatives; and why should a constituency be unable to select a particular gentleman to represent them in Parliament because some agent, without his knowledge and consent, and contrary to his orders, had been guilty of corrupt practices? It seemed to him to be as much in the interests of the constituency as of the candidate that Parliament should make the penalty in this particular instance as light as possible, if it was to produce any beneficial effect.

Mr. HINDE PALMER said, it appeared to him that the period of disqualification was placed at too high a figure. What they wished to provide was, that the candidate who had been guilty of a lavish expenditure, and who had brought about his return, not on account of his political opinions being shared by the constituency, but because he had produced a considerable amount of corruption among the electors, should not, at the succeeding election, be able to obtain the benefit of that corrupt expenditure. That was what he thought his hon. and learned Friend (Mr. Gorst) intended to prevent by his Amendment. He (Mr. Hinde Palmer) thought that a period of seven years would about cover a period sufficient to prevent that. Personally, he should have been satisfied with an Amendment something like this: To provide that the candidate who had obtained his election through illegal practices should be disqualified from again appearing as a candidate during the then existing Parliament and the succeeding election. But in order to make the matter definite and regular, it would, perhaps, be better to adopt the period of seven years. He thought the period of disqualification specified in the clause was much too strong; and the Amendment of the hon. and learned Member for Dewsbury (Mr. Serjeant Simon), which provided that—

> "For ten years next after the date of the Report and his election, if he has been elected within such ten years, shall be void,"

was also too strong. The middle course of adopting seven years would really accomplish all that was desired—namely, that the candidate whose election had been procured by means of illegal and corrupt practices should not reap the fruits of his lavish expenditure at one election by standing as a candidate at the next. He should, therefore, not vote for the provision that a person should be disqualified for ever; but he would support the proposition that he should be disqualified from becoming a candidate for a period of seven years, believing that such a penalty would produce all the effect desired.

CAPTAIN AYLMER said, he had also placed an Amendment upon the Paper to provide that the disqualification should extend "during the continuance of that Parliament." He understood the hon. and learned Attorney General to leave it to the Committee to decide whether the period should be seven years or ten. He hoped the Committee would remember the difference between Clauses 3 and 4. Anything in the way of extensive corruption of the constituency would certainly bring punishment upon the candidate, and disqualify him under Clause 3; and he thought it was impossible to believe that the agent would find a way to corrupt a constituency largely without the candidate knowing it; and, if it could be brought home to him, he would be dealt with by Clause 3. But in Clause 4 the Committee were dealing with comparatively small matters. The corrupt practices committed by the agent would only be in some isolated cases—some small cases, just sufficient, perhaps, to disqualify the candidate, but clearly of a very trifling character. He thought the Committee should remember the disqualification created by Clause 3. They had disqualified any candidate from sitting in the House of Commons for 10 years, if he were found guilty, directly or indirectly, of the slightest knowledge of corrupt practices during the election. Under those circumstances, he thought they might safely accept the limitation in this clause which he had suggested by his Amendment.

MR. H. H. FOWLER remarked that two classes of constituencies had to be considered, and he thought the Committee would make a great mistake to deal with only one class. There was a class of small constituencies, consisting of from 1,000 to 2,000 electors, which could be nursed and so managed as to be subjected to a good deal of the influences to which the hon. and learned Attorney General had alluded. But there were also a number of constituencies consisting of a large number of electors to which the remarks of his hon. and learned Friend were totally inapplicable; and if ever this clause were brought in force against them, it would only be in consequence of the conduct of some ignorant and stupid agent who did something of which the candidate entirely disapproved. Of course, it would be a great mistake to make the Act affect the small boroughs, and shut out the large constituencies of the Kingdom. He could only re-echo what had been said by the hon. and gallant Member for Maidstone (Captain Aylmer) who preceded him. The hon. and gallant Member had pointed out the difference between Clauses 3 and 4, and reminded the Committee that in Clause 4 they were not dealing with a guilty but an innocent candidate. They had dealt with the guilty candidate with great severity by Clause 3, and the hon. and learned Attorney General was bound to give them some illustration from the Election Petitions to justify the present clause. He (Mr. H. H. Fowler) was able to cite one case showing the injustice of the present law. It was a case in which an honoured Member, respected on both sides of the House, was unseated because an ignorant agent paid 10*s.* wages to a man who had recorded his vote. Although the money was paid without the knowledge or sanction of the candidate, he was, nevertheless, unseated, and would have been incapable, according to the proposal of the hon. and learned Attorney General, of sitting for the constituency for a period of 10 years. Happily, the existing law was in force, and the hon. Gentleman to whom he referred regained the seat, and had continued to fill it with great advantage to the constituency. He thought that very good reasons should be given before the Committee consented to increase the penalty, which was, in his opinion, sufficiently severe at present. He should certainly support the Amendment of the hon. and learned Member for Chatham (Mr. Gorst).

MR. SERJEANT SIMON said, the Amendment which he had placed upon the Paper had been referred to; and it was, therefore, only right that he should explain the reason which had induced him to put it down. He had done so in order to provide a middle course between the extreme penalty inserted in the Bill as originally drawn and the course now proposed to be taken. He entirely dissented from the principle of visiting with an extreme penalty a person who was entirely innocent, a consideration which ought never to be lost sight of. It must also be borne in mind that they could not punish the candidate without punishing the constituency. He spoke entirely in the interests of the constituencies, and he repeated that they could not punish the candidate without punishing the constituency. At the same time they might deter honourable and high-minded men from coming forward as candidates, which would be doing more harm to the constituencies than to the candidates. It would only be men of great wealth, who were anxious, from personal objects, to get into the House of Commons, and who were ready to spend any amount of money in corrupting a constituency—it was only such persons who would be induced to come forward if these severe penalties were enacted. Therefore, when he proposed a period of 10 years, he simply did so as a compromise. He had no idea at the time he placed his Amendment on the Paper that his hon. and learned Friend the Attorney General would be willing to accept a lesser period. As the matter now stood, he should certainly vote for the Amendment of the hon. and learned Member for Chatham (Mr. Gorst).

Question put.

The Committee *divided:* — Ayes 58; Noes 114: Majority 56.—(Div. List, No. 82.)

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, the best course to take now would be to omit the word "ever" from the clause.

Question, "That the word 'ever' in page 2, line 25, be left out," put, and *agreed to.*

MR. SALT said, he believed that his Amendment came next—namely, after the word "borough," to insert "for seven years."

Amendment proposed, in page 2 line 26, after "borough" insert "for seven years."—(*Mr. Salt.*)

Question proposed, "That those words be there inserted."

MR. SERJEANT SIMON said, the Amendment would require one or two additional words. He had intended to propose "for 10 years next after the date of the Report," and the Amendment moved by the hon. Member for Stafford (Mr. Salt) would require the addition of similar words, making it—

> "Seven years next after the date of the Report and his election, if he shall have been elected within such seven years, shall be void."

If this alteration were not made it would be impossible to know for what period the seven years were to be computed. It would be necessary to strike out the words from "borough" to the end of the clause, and to substitute these words.

THE CHAIRMAN said, the Amendment at present before the Committee was, after the word "borough" to insert the words "for seven years."

COLONEL NOLAN said, he would propose to amend the Amendment by substituting for the word "seven" the word "five." He had already stated the view he took. He looked upon this clause as it now stood in the Bill as a thoroughly bad clause, and he wished to do everything in his power to lessen the evil and badness of the measure. He thought that five years would be a much better period of disqualification than seven years. One argument adduced by the hon. and learned Attorney General was that it was necessary to introduce safeguards for the next Parliament after a judgment had been delivered, declaring that corrupt practices had been committed. But the average length of Parliament was not more than five years, and the average length of the present Parliament was certainly not likely to be more than five years. Of course, it was possible that there might be a bye-election; but he thought the object of the hon. and learned Attorney General would be entirely gained by making the period five years. Disqualification for that period would be an ample punishment. At present the disqualification was only for one Parliament, and that was not more than three or four years on the average. Five years would, therefore, be greatly increasing the penalty. He wished, however, to call attention again to the fact that it was not a question between the rich man and the poor man; and he was glad to see in the Lobby, in the division which had just taken place, an hon. Member who was popularly supposed to represent the working men of England. He believed that a penal clause of this kind would operate just as much against the poor candidate as against a wealthy one, because an expenditure of 5*s.* worth of beer would entail just as heavy consequences as the lavish expenditure of a rich man; a trifling expenditure of that nature would be sufficient to unseat the candidate, and the penal consequences would be just the same. If they were to have such a very bad clause at all, and were to place themselves so completely under the Election Judges, they ought to minimize the penalties imposed by the Bill as much as possible; and if he received any support at all he would certainly divide the Committee upon the period of five years as against seven.

Amendment proposed to the said proposed Amendment, to leave out the word "seven," in order to insert the word "five,"—(*Colonel Nolan,*)—instead thereof.

Question proposed, "That the word 'seven' stand part of the said proposed Amendment."

MR. RYLANDS said, he would have been very glad indeed if this part of the Bill had been treated in a more scientific manner. They all saw there was a danger, and that through agents there might be considerable corruption, which ought to be severely dealt with by Judges. On the other hand, a very small amount of corruption might have the effect of exposing a candidate to very severe penalties; and what struck him as being unscientific was this—that a hard-and-fast line was laid down for everybody. No distinction was made between the cases in which the Judges found there had been a very large amount of treating by the connivance of agents and candidates and those cases in which there might be one or two small and trumpery cases of treating by agents, in which cases the penalty was to be visited upon the candidates. He had no doubt his hon. and learned Friend had in his mind the case of a candidate who, by means of his agent, had indulged in a large amount of treating. There could be no doubt that in recent cases treating had been more serious to deal with than bribery, because, while there had been little bribery, there had been a great deal of treating, and, in some cases, that treating had been done by the agents of the candidates. The candidate, under those circumstances, ought to submit to the penalty which was due to the offence; but, having now given to treating the character of a corrupt practice, the Committee were afraid lest some trifling matters might be made into very serious crimes, and that the candidate whose agent had been guilty of some small indiscretions might be exposed to serious penalties. That was the unscientific part of the clause to which he wished to direct the attention of the hon. and learned Attorney General; and he believed if the hon. and learned Gentleman would consult with his hon. and learned Friend the Solicitor General, he would find that the Solicitor General had, in a public manner, expressed an opinion very much in accordance with the view he (Mr. Rylands) was now submitting to the Committee. If the clause was to remain without any definition, he should have been glad if the hon. and learned Attorney General could have suggested some words which could have given the Judge some power to distinguish between different degrees of treating.

THE CHAIRMAN: There is an Amendment to that effect. The Amendment at present before the Committee is whether "five" shall be substituted for "seven."

MR. RYLANDS said, that as the matter now stood, if his hon. and gallant Friend (Colonel Nolan) went to a division, he should certainly vote with him, because he thought that five years was certainly a sufficient penalty under the Act.

THE ATTORNEY GENERAL (Sir HENRY JAMES) opposed the Amendment. He believed that if the suggestion of the hon. and gallant Member were adopted it might possibly happen that the period of disqualification would be less than at present, because both of the last Parliaments had lasted more than five years.

COLONEL NOLAN said, he was anxious to meet the wishes of the hon. and learned Attorney General, and he would alter his Amendment to "five years, or the existence of the present Parliament."

MR. CALLAN said, he would support the clause as it originally stood if the hon. and learned Attorney General would give them some definition of "agency." To show them how important it was, he would recommend hon. Members to read the opinion of Mr. Baron Dowse. In one of his Judgments Mr. Baron Dowse said—

> "We came to the conclusion that every kind of treating given is corrupt. There is not a single Petition in England, Ireland, or Scotland, where the Member should not be unseated; indeed, I have often thought if there was a Petition in every case, and everybody knew what happened in every case, we would have no House of Commons at all."

That showed the importance of viewing these matters carefully.

THE CHAIRMAN: When the hon. Member was absent a long discussion took place about the definition of "agency;" and the Question now before the Committee is that the word "seven" stand part of the clause.

MR. CALLAN said, he was showing how reasonable it was they should lessen the punishment for the act of an agent. Mr. Baron Dowse continued—

> "If we were satisfied that any one agent gave a single man a treat for the purpose of influencing his vote, I would not have the slightest hesitation in saying I would be bound to unseat the Member."

As the agency question was not settled, they should minimize the punishment as much as possible. This was not a Bill to make pure elections; it was a Bill to cheapen elections. It was evidently a Bill for the purpose of placing men who had to employ agents at a disadvantage to those who belonged to the popular organizations which were known as the Caucus; and he certainly did think the hon. and gallant Gentleman (Colonel Nolan) had a right to complain, for the hon. and gallant Gentleman himself might be for ever disqualified from sitting, not for Galway, but for any other constituency. If his hon. and gallant Friend went to a division he should follow him into the Lobby.

Question put.

The Committee *divided*:—Ayes 134; Noes 77: Majority 57.—(Div. List, No. 83.)

MR. SERJEANT SIMON moved, in page 2, line 26, to insert after "years," "next after the date of the Report."

COLONEL NOLAN said, he had tried, but he was utterly unable to hear what the hon. and learned Gentleman was proposing.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he agreed to the Amendment.

Amendment *agreed to.*

MR. GORST said, he wanted to propose an addition of some words to the clause. He did not desire to press the words upon the Government at the present moment; but he merely threw that out for the consideration of the Committee, and if the Committee was favourable to the words, and if they were received with favour by Her Majesty's Government, he should have no objection to withdraw them for the present, upon the Government promising that the matter should receive favourable consideration on Report. He was most anxious that some words should be put in the clause to protect the innocent Member of Parliament. If there should be such a thing as a really innocent Member of Parliament, a Member who had done his utmost to secure a pure election, who had so far succeeded that his election had been in the main a pure one, he (Mr. Gorst) wanted to prevent him being unseated for the act of one man. The Judges had often expressed regret at the rigidity of the present law, and at the necessity which devolved upon them to unseat a man on account of one or two isolated acts which he had been unable to control, and which were done contrary to his express orders. He wanted to induce the Committee to accept something like this—that if it was true that corrupt practices had been committed by a man's agent, his election should be *primâ facie* void; but it should be open to him to put himself in the witness-box before the Election Court, and prove affirmatively that he had done everything in his power, by care in the appointment of his election agent, and by his management of the election, to secure a pure election; and that if the Election Court was satisfied on those two points, as well as upon the insignificance of the corrupt practices, the election should, instead of being void, be held valid. The words, which he understood had received the support of the hon. and learned Solicitor General, he proposed to add to the clause were—

> "Unless such candidate can prove to the satisfaction of the Election Court that he exercised due care in the appointment and control of his agent, and in the general conduct of the election, and that the corrupt practices proved have not affected the result of the election."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, the Committee would notice that there were to the Amendment two distinct objections. The first was that the candidate should keep his seat; and the second was that the corrupt portion of the constituency should prevail over the pure portion of the constituency. [Mr. GORST: Just the contrary.] He repeated his assertion. The candidate should not lose his seat. What did that mean? That the corrupt portion of the constituency who had voted for him would keep their Member. ["No!"] They were now saying that the candidate should not lose his seat; therefore, that the constituency should be in the position of being represented by a person who might have a majority of votes obtained by corrupt means. ["No, no!"] That was the view the proposal presented. The proposed addition provided that the election should not be void if the candidate could prove that he had exercised due care in the selection of his agent and in the management of the election. He perfectly appreciated such a provision. The proof that the candidate had exercised due care in the appointment and control of his agent meant nothing at all, because he might actually appoint an agent to get rid of the liability. A man would always say there was no want of care in the appointment of his agent, and that he did all he could to procure a pure election, so that that part of the Amendment would be no safeguard at all. Then, as to the second point, that the election should be held valid if the Court was satisfied, amongst other things, that the corrupt practices had not altered the result of the election, why, when they were dealing with corruption, the greater the corruption the less possibility there was of proving that it had had any influence in the election. In the case of the Sandwich Petition, they knew that 1,400 in a constituency of 2,000 had received bribes; but they never proved a single case. The agent came up and swore he had not bribed anyone, and the men said they had never received a farthing; but afterwards they admitted they had committed perjury. In a severe contest before an Election Judge, and when it was known the seat was at stake, men would not confess to corrupt practices; and the consequence would be that the Judge would not be able to say that corrupt practices had prevailed to such an extent as to influence the result. The practical issue would be that all Election Petitions would be of no avail. Under such an arrangement every voter would be more careful to keep back information, and power would be given to the corrupt element instead of the pure element of the constituency. This question had come before a Select Committee of the House in 1875, and the proposition now before the Committee was negatived, although at the time it was deemed worthy of consideration. He was desirous to assist candidates who were innocent of the acts of their agents, if it were possible to do so; but the Government had to consider also the interest of the constituents. Although he could make no promise that the clause would be altered in the direction indicated, the matter should be considered before Report; and, with that assurance, he trusted his hon. and learned Friend would consent to withdraw the Amendment before the Committee.

Sir R. ASSHETON CROSS said, he thought the offer of the hon. and learned Gentleman was one that might be accepted, and that upon it the Amendment of the hon. and learned Member for Chatham might be withdrawn. It was a matter for regret that the question of limiting the period of disqualification under the clause to seven years had been voted upon in the last division by a number of Gentlemen who had not heard the speech of the hon. and learned Gentleman, in which he stated, in reference to the term of disqualification, that he was willing to consult the feeling of the Committee. There had clearly been a miscarriage of the intention of the hon. and learned Gentleman; and, therefore, he thought the question ought in fairness to be raised again.

Mr. Serjeant SIMON was understood to say that the words which, in his opinion, would best meet the case were those which he had moved at an earlier period of the discussion on this clause.

Mr. GORST said, he was willing, as he had before stated, to withdraw the Amendment, on the understanding that the Government would consider the point. He should be quite willing to accept another wording as long as it embodied the principle he had in view. They ought to throw upon the sitting Member all the responsibility of proving affirmatively that he had taken due care in the appointment and control of his agents, and that the election was a pure one.

Mr. GRANTHAM said, he thought the objections put forward by the hon. and learned Attorney General would be obviated by the following words being added at the end of the clause:—

> "Unless the Election Court shall certify that they do not think the candidates ought to be considered responsible for such corrupt practices, and that such corrupt practices have not affected the result of the election."

Colonel NOLAN remarked, that the hon. and learned Gentleman had mixed together the offences of bribery, treating, and the exercise of undue influence, all of which had been carefully separated in former Acts. He thought the argument as to the 1,400 voters used by the hon. and learned Gentleman was not applicable to the case put forward by hon. Members who were contending that a candidate ought not to be unseated for a trivial act. He thought that, before the clause was allowed to pass, some intimation should be given to hon. Members of what the alteration would be.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 5 (Punishment of person convicted on indictment of corrupt practices).

Mr. H. H. FOWLER said, by this Bill treating was made a corrupt practice, and punished criminally. Under the old law, treating never rendered a man liable to criminal punishment. He wished the Committee to consider carefully the penalty to which a man rendered himself liable for paying for a glass of beer for another man. He was to be guilty of a misdemeanour, and, on conviction on indictment, he was liable to be imprisoned for two years, with or without hard labour, and to be fined any sum not exceeding £500. He was convinced that any legislation which created sympathy with the offender was retrogressive; and he knew no more dangerous support of electoral corruption than that which was afforded by undue punishment. He did not propose to ask the Committee to exempt treating altogether, for hon. Members would observe on the next page of the Amendment Paper that he proposed to make it an offence punishable, on summary conviction, by three months' imprisonment, with or without hard labour, and a fine of £5 for each act of treating. That, he thought, would prevent the offence to a very great extent; but the proposal that it should be punished by imprisonment with hard labour for two years, and a fine of £500, he believed, the Committee would not agree to; and, therefore, he begged to move the Amendment of which he had given Notice.

Amendment proposed,

In page 2, line 28, after "practice," insert "other than treating, as defined in this Act."—(*Mr. Henry H. Fowler.*)

Question proposed, "That those words be there inserted."

Sir R. ASSHETON CROSS said, in his view, punishment should be speedy and complete. But he objected to undue severity, and considered that small punishments on summary conviction were better than heavy ones on indictment, his reason being that people, when the election was over, did not, as a rule, want to prosecute. He could not help thinking that the smaller punishment of two years' imprisonment summarily inflicted was preferable to its infliction on indictment together with a heavy fine.

The ATTORNEY GENERAL (Sir Henry James) pointed out that the question raised by the Amendment was not as to the severity of the punishment to be inflicted, the desirability of retaining which, as expressed in the clause, the Committee would have an opportunity of considering later on. The Amendment of the hon. Member for Wolverhampton made two suggestions, the first being that they should declare treating to be a venial practice as compared with bribery, and that a distinction should in consequence be made between the two offences. The second suggestion was that they should take away from the accused person the protection of trial by jury, and allow him to be summarily dealt with by a tribunal composed of the local Justices. He would willingly see the matter dealt with summarily by the local Justices if it were practicable. But did the Committee think that cases of the kind ought to be submitted to a tribunal composed of men who had themselves taken part in the election, and were either on one side of politics or another? It certainly appeared to him that such a tribunal was not fitted calmly and judicially to decide the guilt or innocence of those who, with respect to some of them, would necessarily be their political opponents. He was convinced that the accused person would not wish to come before such a tribunal, and he was equally sure that no such tribunal would wish to exercise the power proposed to be vested in it. The accused person, under the clause, would have the protection afforded by a jury, who would have to be convinced that he had acted corruptly; and he could not but regard this as better than that the local Justices should deal summarily with the case. With regard to the view that treating was to be regarded by the Legislature as a venial offence in connection with Parliamentary elections, the Judges might, of course, be of opinion that such acts had not affected the result of a particular election; but he felt sure the Committee would admit that treating was a growing evil, more especially from the increased importance given to it in connection with municipal elections. It was proposed to deal with corrupt practices at municipal elections after they had disposed of the present measure. If, therefore, the legislation with regard to municipalities was to be founded upon this Bill, he asked, would it not be unwise for Parliament to admit that treating was but a venial offence? Knowing what he did of the growth of treating in the country, he should fear the consequences of a legislative declaration that it should not be dealt with in the same manner as bribery. Were they to say that treating should not be visited with the same moral comdemnation, they would, so far from doing all in their power to put an end to it, be, in his opinion, lending encouragement to this growing evil. The Committee would have an opportunity, when the next Amendment of the hon. Member for Wolverhampton was reached, of saying whether in their view it should be visited with a lesser punishment. But, in the meantime, he prayed the Committee to consider whether they could at this time declare with safety that treating at Parliamentary elections was an act which would bear the light of day. On the grounds he had stated he trusted his hon. Friend would withdraw his Amendment.

Mr. GORST said, with respect to the hon. and learned Attorney General there was only one issue before the Committee, and that was whether treating ought to be placed in a different category from bribery and other corrupt practices. For his own part, he thought it would be a great mistake if they were to deal with treating by a rule different to that which they applied to other corrupt practices, because he could imagine cases of wholesale treating which would be quite as bad in themselves as bribery. With regard to what had fallen from the hon. and learned Gentleman, on the subject of dealing with corrupt practices generally by summary jurisdiction, he hoped that whatever vote hon. Members felt fit to give on this Amendment, they would not be understood to prejudge that question. The most important point was to secure the speedy and certain punishment of the offence, and that he did not think a very heavy penalty was calculated to effect. He believed that this would be most easily secured by having a scale of punishment which might be inflicted immediately on the offender by a Court of Summary Jurisdiction. In that way no person need be deprived of the protection afforded, by having his case decided upon by a jury, because if a person preferred to be tried by a jury he could always claim to be so tried under the Act passed in 1879. It was only necessary to make the penalty imprisonment, say, for four months, and then the offender, when charged before a Court of Summary Jurisdiction, could claim to be tried by a jury, whereupon the proceedings would be suspended, and an indictment preferred against him at the next Sessions or Assizes. However, his principal object in rising was to press upon the Committee that in deciding this particular Amendment of the hon. Member for Wolverhampton, they were not prejudging the question as to whether corrupt practices ought not to be dealt with summarily.

Mr. HOPWOOD said, the effect of his hon. and learned Friend's suggestion would be to put treating and bribery on the same level. It meant simply the bringing back of bribery from its position as an indictable offence to that of an offence punishable by four months' imprisonment before a magistrate. That he thought the Committee would never submit to. He should, therefore, vote for the clause as it stood. Everyone knew that treating was just as influential a corrupt practice as bribery, which might be the giving of the most trumpery thing in the world; and he submitted that the two offences ought to be classed, as they were in this Bill, in the same category.

Colonel NOLAN said, he was willing to leave these offences to be dealt with by a Judge and jury, and in that respect he confidently accepted the clause as it stood at present. It had been his intention to move the omission of the whole of the monetary penalty; but, on further consideration, he thought the clause had better remain as it was. He did not think that any Judge would wantonly imprison a man for two years; but he certainly objected to the Judge having the power of disqualifying him for 10 years, and, therefore, he should use his best endeavours to amend the Bill on that point.

Mr. WARTON agreed with the hon. and learned Member for Chatham (Mr. Gorst) that there was only one point before the Committee. That point was, as to whether there was any difference between bribery and treating, and here he disagreed with the hon. and learned Gentleman. There had always been a distinction between these two offences, and even the hon. and learned Member for Chatham had been obliged to put it in this way—that wholesale treating was as bad as bribery. No one would say that treating in the shape of giving food or drink was so serious, or could be so degrading to the giver or the recipient, as the giving and receiving of money. It was mere hypocrisy to say that treating was as bad as the payment of money when they knew that it was not. He hoped the hon. Member for Wolverhampton would press to a division this most important Amendment, which made a distinction between the two offences of bribery and treating.

Question put, and *negatived.*

Mr. DIXON-HARTLAND contended that the penalty of imprisonment was sufficiently severe without hard labour, and, therefore, moved that the words which provided for the infliction of hard labour be omitted from the clause.

Amendment proposed, in page 2, line 30, to leave out the words "with or."—(*Mr. Dixon-Hartland.*)

Question proposed, "That the words "with or" stand part of the Clause."

The ATTORNEY GENERAL (Sir Henry James) said, he was compelled to oppose the Amendment. It was not proposed to make bribery a felony; but, at the same time, if it was the intention to take a step in advance in the direction of putting it down, he did not know of any better mode of dealing with it than by legislation declaring it to be a misdemeanour punishable with hard labour. His opinion was very strong that, if they were to deal effectively with this evil, offenders must be brought down to the level of the ordinary law.

MR. WARTON argued that men could not be made criminal merely by having that epithet applied to them. Should the Amendment be rejected, the public would be horrified and disgusted at the severity of the punishment to which bribers would be liable. The Attorney General ought to remember the anger of the people at the shameful sentences recently passed upon respectable solicitors and others, when there were men on the Ministerial side of the House who escaped punishment altogether, though steeped to the lips in bribery.

THE ATTORNEY GENERAL (Sir HENRY JAMES): If the hon. and learned Member's statement that there are many Members of this House steeped in bribery is correct, the sooner we make the offence punishable with hard labour the better.

COLONEL NOLAN said, the tribunal could inflict one day's imprisonment, or a £500 fine. He did not object to a small money fine, because it might be put as a nominal penalty; but he did object to a large one, and to a Judge having power to inflict a £500 fine or imprisonment. To the rich man, to whom imprisonment would be everything, a £500 fine would be nothing, and he would have no difficulty in paying it. The poor man, however, would be utterly unable to pay it, and would of necessity have to undergo imprisonment.

LORD JOHN MANNERS said, he believed the severity of the punishment under this clause would have an effect exactly contrary to that anticipated by the hon. and learned Attorney General; therefore, he should support the Amendment to mitigate the penalty, which was believed throughout the country to be excessive.

MR. CAVENDISH BENTINCK said, that, having regard to the hon. and learned Attorney General's indignant tone in reply to the hon. and learned Member for Bridport (Mr. Warton), he should like the hon. and learned Attorney General to explain to the House, if he was able to do it, the peculiar modes whereby the President of the Local Government Board (Mr. Dodson) had won his seat for Scarborough.

SIR R. ASSHETON CROSS said, he was sorry the hon. and learned Attorney General wished to maintain the extreme penalties, for the reasons he had already stated. He could not help thinking that this should press upon the mind of the hon. and learned Gentleman—that when there was a Petition presented, and the Judge reported bribery, and a Commission was held, a few persons might be scheduled and imprisoned, and a large number equally guilty, perhaps, on the other side, might get off. If, however, summary proceedings were taken, and substantial penalties inflicted, there would be a great chance of obtaining a much larger number of convictions, and of stopping the whole thing. He should have liked to see a provision in the Bill for the appointment of an officer to attend every election on the part of the Public Prosecutor, and deal summarily with offenders against whom bribery could be proved. In this way they would be able to stop corrupt practices. He was very much afraid, however, that the severity of the punishment in the Bill would defeat the object the hon. and learned Gentleman had in view.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he should be very glad to carry out the right hon. Gentleman's views if he could. He had already, to some extent, carried them out by giving the Judge summary powers in certain cases. How could they appoint an officer under the Public Prosecutor to attend every election? It would necessitate the appointment of, at least, 400 barristers at a General Election to go down to the various constituencies for the purpose of preventing or punishing corrupt practices.

Question put.

The Committee *divided*:—Ayes 204; Noes 132: Majority 72.—(Div. List, No. 84.)

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, they were closely approaching the time at which it was understood that Progress should be reported; and he therefore hoped the Committee would let him now make a statement which he thought would carry them a step further. Clause 5 imposed a maximum penalty of two years' imprisonment, or a fine not exceeding £500. He thought he understood it to be the feeling of the Committee that although the crime should be regarded as one of a grave nature, at the same time the punishment should not be too severe. He quite agreed that they would be more likely to obtain convictions if they deprived counsel for the defence of the weapon of being able to say to the tribunal—"You are about to send that man, who has hitherto held a good position and been considered a respectable man, to a long term of imprisonment." The Government thought they should take the opportunity of limiting the term, therefore they were prepared to accept the Amendment of the hon. and learned Member for Chatham (Mr. Gorst), and reduce the two years to one year. As to the money penalty, it was necessary that the Court should have the power of inflicting a severe one; otherwise, in grave offences, it would not have recourse to a fine, but would consider itself bound to inflict imprisonment. Of course, it would not be necessary, if the maximum fine was heavy, to inflict it in any case upon a poor man. He had thought it better, considering all the circumstances of the case, to give the Court an opportunity of imposing a large fine. The hon. and learned Member for Chatham sought to reduce the sum to £100; but he (the Attorney General) could not consent to that. He would agree to reduce the £500 to £200. The Committee, however, bearing this statement in mind, would settle the points itself—whether the two years should be reduced to one year, and the £500 fine reduced to a £200 fine.

Amendment proposed, in page 2, line 31, to leave out the words "two years," and insert "one year."—(*Mr. Attorney General.*)

Question, "That the words 'two years' stand part of the Clause," put, and *negatived.*

Question proposed, "That the words 'one year' be there inserted."

Sir WALTER B. BARTTELOT ventured to say that even one year was a most frightful punishment to impose in a case of this kind. Without making a speech on the question—for they had heard quite enough speeches on it—he should move that the term be reduced to three months, which would have a sufficiently deterrent effect. He was satisfied that if they were to have a punishment of this kind it should be a lenient one, rather than almost as severe a one as it was possible to inflict.

Sir GEORGE CAMPBELL said, hon. Members must bear in mind that the period of imprisonment decided upon need not be inflicted in every case. It would be the maximum. He could not think how the Committee could say that, however gross was the corruption, it should not be within the discretion of the Judge to inflict a severe penalty. It seemed to him that the hon. and learned Attorney General had gone as far as he could go in the way of mitigation.

The CHAIRMAN: The Question is that one year be there inserted.

Sir WALTER B. BARTTELOT: No; I have moved to reduce it to three months.

The CHAIRMAN: If the Committee do not insert the one year, the term can be reduced to three months.

Mr. WARTON: I rise to Order. We have decided that "two years" shall not remain in the Bill—nothing else. The hon. and learned Attorney General has not moved that "one year" be inserted.

The CHAIRMAN: The Question I put was, "That two years be there inserted." That was negatived, and then I moved, "That one year be there inserted."

Mr. WARTON: Is it open to the Chairman to move "one year?" Taking it from you, Sir, that two years has been negatived, and that the hon. and learned Attorney General has not moved the insertion of one year, I would submit that it is perfectly competent for the hon. and gallant Member (Sir Walter B. Barttelot) to move "that three months be inserted."

The CHAIRMAN: The two years having been struck out, I moved the remainder of the Amendment, "That one year be inserted." If that is not passed, the hon. and gallant Baronet can move the insertion of three months. The former Question, however, must be decided first. The Question is, "That one year be there inserted."

Mr. R. H. PAGET said, he hoped the Committee was not going to accede to the proposition to insert in the Bill this enormous penalty of one year's imprisonment with hard labour. They who had to deal with prosecutions in the country knew that in cases of housebreaking, aggravated assaults, and so on, one year's imprisonment with hard labour was one of the most severe penalties imposed. If the term of one year were inserted in the Bill, it would entirely defeat its own object. He ventured to say that those who would have to administer the Bill would be able to do so with far greater effect if a reasonable and moderate penalty were adopted. A penalty of one year's imprisonment would, under no circumstances, be justified or justifiable. Its magnitude and excessive nature would defeat its own object, and would be fatal to the Bill.

MR. ONSLOW said, this was a very important point; but as they were fast nearing the time at which the Prime Minister had promised to proceed with other important Business, he thought it would be as well to defer the settlement of the matter in dispute. He could not have agreed to the term of three months; but thought that six months might meet the case. However, as this was to be such a severe penalty for what might be such a trifling offence, he would put it to the hon. and learned Attorney General whether he could not, between this and to-morrow morning, make up his mind to insert a smaller penalty than one year. He begged to move that the Chairman report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Onslow.*)

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he hoped the Committee would allow them to determine this one question. The term to be inserted would be the maximum penalty. They had heard of cases where adventurers had utterly corrupted constituencies; where they had gone round in a most reckless manner bribing everyone they could bribe, and had utterly destroyed the effect of an election. This clause would give a learned Judge discretionary power to mete out adequate punishment for such a gross case as that. He hoped they would now be allowed to come to a division.

MR. RAIKES said, he hoped his hon. Friend would not go to a division on his Motion to report Progress, as he thought it was better to get through the Bill as soon as possible. As the Chairman had declared that the Question before him was that the words "one year" be inserted, he thought the most advantageous course for those who thought one year a severe penalty would be to take a division upon that, because then it would be possible to propose six months instead of three. For his own part, he thought three months would not be adequate to meet the public sentiment with regard to these offences. At the same time, there was a great deal to be said for those who thought a year a great deal too much; and he was certain that a great many who remembered the feeling almost of horror which went through the country in regard to the sentences passed last year would understand that there was a great deal to be said for the Amendment. If the proposal should be successfully resisted, he should give his cordial support to his hon. and gallant Friend the Member for West Sussex (Sir Walter B. Barttelot), or any other hon. Member who proposed six months as the limit. In the meantime, he hoped the hon. Member for Guildford (Mr. Onslow) would withdraw his Motion to report Progress, in order that this question might be decided.

MR. HENEAGE said, he thought hon. Members opposite must have forgotten the discussion which took place before dinner, as to candidates being made responsible for their agents. He thought the only effective plan to prevent corrupt practices was to impose a sufficient imprisonment on those who committed these practices; and unless such penalties were inserted as would deter agents, for which the candidates might be made responsible, he did not see what safeguard there would be. If the maximum was one year, no Judge would be likely to impose the maximum; and he hoped the Committee would support the hon. and learned Attorney General.

Motion, by leave, *withdrawn.*

Question put, "That the words 'one year' be there inserted."

The Committee *divided*:—Ayes 275; Noes 79: Majority 196.—(Div. List, No. 85.)

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Attorney General.*)

Mr. B. SAMUELSON said, he hoped Progress would now be reported, because he had another Amendment to propose.

Motion *agreed to.*

Committee report Progress; to sit again *To-morrow,* at Two of the clock.

MOTIONS.

ARREARS OF RENT (IRELAND) BILL.

MOTION FOR LEAVE.

IRELAND — IRISH POLICY OF THE GOVERNMENT — RELEASE OF MR. PARNELL AND OTHERS.

Mr. GLADSTONE: As the House is aware, Sir, the policy of Her Majesty's Government at the present moment embraces three important principal subjects. One of these is the government of Ireland, including the particular question which has been made known to the House with regard to the release of such of those suspected persons now in confinement as are not believed to be, or suspected of being, implicated in crime; the second relates to the Bill for the Prevention of Crime, which is already before the House; and the third relates to the mode of dealing with arrears of rent in Ireland, with respect to which we have given pledges, and which I now rise to redeem. I may as well say, before touching the subject directly, inasmuch as the proposal we have to make imposes a new duty on the Land Commission—I may, perhaps, say a few words to show that the Land Commission is in a condition likely to be able to cope with that duty. It has been reinforced, as the House is aware, by the appointment of a considerable number of Sub-Commissioners; and the Courts, of which there are now 16, are in full operation, and the progress they make is large, and, I think, satisfactory. The total number of cases of which they have now disposed, although small with reference to the applications that have been lodged, yet is large with reference to the figures that have been reported at former dates. It amounts, down, I think, to April 15th—therefore now it will be much larger—to 12,402, that number embracing the numbers dealt with by being struck out or withdrawn, and the numbers settled by voluntary agreement, the appeals are also proceeding with considerable rapidity, the number of those that have been dealt with up to May 10th being 359, and it is believed rapid progress will be made, as they now form, more or less, into various classes, and they are now disposed of with greater facility. The rate at which the cases of judicial rent are decided somewhat exceeds 900 per week, that including what are dealt with by Sub-Commissioners; what are dealt with by County Court Judges; and likewise the voluntary agreements which are made between landlord and tenant, and which are registered in the Land Courts. The House, if it applies that number which I have last given—of over 900—to the operations of the entire year, will perceive that the progress is now very rapid; and it may be said that the Commission, and the Subaltern Courts, are in a condition to meet with and dispose of the great mass of business that has been brought before them. Now, Sir, with regard to the subject that is before us, there is one other preliminary observation I have to make. I propose to ask the House, in this Bill, to legislate upon arrears alone, and not to touch any other subject whatever connected with the Land Act, or with the amendment of that Act. On a former occasion, in adverting to the particulars of the Bill introduced by several hon. Gentlemen opposite, I admitted that there were certain points—and I named two of them—on which a very strong argument might be made in favour of the amendment of the Act—of such amendment of the Act as can be fairly conceived to be amendment in furtherance of the Act, and for the purpose of giving effect to the provisions which it contains. But it is, I think, inevitable that if any question were to be raised on these points, it would have the effect of inducing hon. Members to raise other questions, and to load the Bill for Arrears with possibly a variety of subjects, which we think it best to hold entirely apart from it, because I have a hope—it is a hope that may be disappointed, like many others, but I own I do not despair of seeing it realized—that this subject, with which, I believe, there is a general disposition to deal, and see settled, may be easily dealt with; and if the plan we propose, to which the House is, I think, certainly prepared to give a general acceptance, is agreed to, we may be able to secure for it the advantage of a rapid and easy passage through the House, and for that considerable portion of the people of Ireland interested in the adoption of a good plan on this subject the great benefit of reaping an early access to the operation of these provisions. Therefore, that observation I make, not in a spirit of controversy, but rather in a spirit of appeal to all those who wish to see this question settled; and I think they will be disposed to recognize with me that, without in any manner prejudging any other question relating to the amendment of the Land Act, we shall do wisely to keep the question of the Land Act separate from any other subject. Again, let me say that the plan which we lay before the House is, I hope, conceived in a spirit which on a former occasion I endeavoured to describe. We look at it as a matter which it is equally in the interests of all parties to settle by equitable arrangement. No doubt, if an extreme view be taken of the subject, either from the position of the landlord or that of the tenant, objections may be made, because the principle upon which we proceed is one of composition. We ask each person to make some effort, or some sacrifice, in order to bring them together to the common point at which, and at which alone, it is possible to effect a general and complete settlement. I will state very briefly the particulars of the plan. It is not difficult to do so, because, in truth, it is not a new creation, but it grows out of other legislation, actual or proposed, which is now before the House. The House will bear in mind that the Act already contains a clause, and an important clause, on the subject of arrears; and many of the particulars embodied in that clause are perfectly available for the plan which we now propose. They have been adopted from that clause standing in the Act. They have been incorporated into the Bill introduced by the hon. Member for New Ross (Mr. Redmond) and other hon. Members sitting near him and sympathizing with him upon this subject. The real question that the House has to decide is which plan you will adopt of two bases of proceeding. Will you attempt to proceed by the method of loan and purely voluntary arrangement; or will you attempt to proceed by the method of compulsion, which evidently involves the necessity of something in the shape of a gift? We have endeavoured to consider that subject with all the advantages of the light we could obtain. We made an effort to proceed by loan last year, and the experience obtained by that effort has not encouraged us to make a further effort in the same direction. It has not been entirely devoid of good fruit; but still the good fruit it has produced has been so limited that it has left the bulk of the question of arrears of rent in Ireland untouched by its operation. Several Gentlemen of great weight and authority in this House have advised that we should still make another effort of the same kind, but more liberal in its character, involving, I am bound to say, if it is to be more liberal, something of the principle of a gift. But, in our view, if we are to introduce the principle of a gift into the measure, it is much better to go one step further, and to combine with the principle of gift the principle of compulsion, so as to have the prospect of obtaining something like completeness and efficacy in the measure we desire to apply. I had an opportunity, some weeks ago, of speaking upon this subject, and I then submitted to the House that if we were to proceed upon the principle of gift, combined with compulsion, instead of the principle of loan, combined with purely voluntary arrangement, we should recognize, on the whole, the clause embodied in the Bill of the hon. Member for New Ross (Mr. Redmond) as a clause carefully devised in a spirit not inequitable to any of the parties concerned. I need hardly remind the House that these compulsory methods of procedure in cases of property are not infrequent in grave and difficult circumstances. It was upon this principle that the House dealt with the Emancipation of the Negroes in 1833, offering a partial compensation, but requiring—and it was perfectly fair, under the circumstances, to require — a considerable sacrifice from those who had previously been by law entitled to their labour. It was on the same principle that at the time the House made a provision to re-imburse, up to a certain point, the tithe-owners of Ireland in respect of the tithes, which at that period had been generally and universally withheld, the State took over the claim of the tithe-owner to the tithe, and compensated him, not entirely, but up to a certain point. On the same principle, when the State proceeded to the commutation of tithes in Ireland, it made a reduction of 25 per cent in the gross amount of the tithe, and enforced that measure, with that deduction, upon every tithe-owner in the country. Again, once more, when the State proceeded to deal with the commutation of tithes under the much milder circumstances of England, it took away, on the principle of general policy, for the ultimate benefit of all parties, from the English tithe-owner his undoubted legal right to his whole increment of the soil and tithes, leaving his income varied according to the variations of price that might prevail at subsequent times. I only advert to these matters to show that, in coming forward with the principle of compulsory compensation, there is nothing novel in our proposition, nor anything that ought to startle or repel, provided only that the plan be a plan formed in the spirit of general equity as between the parties among themselves, and as between the State and those parties separately. Now, Sir, I will go over the particulars of the plan, which very nearly corresponds in many points, if not in the main principle, with the clause in the Act of last year, and both in the main principle and in most of the details with the clause in the Bill of the hon. Member for New Ross (Mr. Redmond). I take first, Sir, this point, that in the section of the Act of 1881, the application is a joint application of landlord and tenant. In the Bill of the hon. Member for New Ross it is an application by the tenant only. In the Bill that we propose it is an application either by the tenant or by the landlord. We think it equitable, in introducing this principle of compulsion, to make it a principle which shall be applicable to be brought into operation on the demand of either party. The limit of valuation, above which the measure shall not operate, was taken by the Bill of the hon. Member for New Ross from the Act of last year, and we still propose to adhere to it. It is the limit of Griffith's valuation—£30. That stands in our present Bill as it stands in the Act of 1881. Well then, Sir, we come to another provision, which is also common to the three schemes, and that is the requiring of the tenant the payment of a year's rent. The hon. Member for New Ross very justly and properly requires that the tenant should pay a year's rent, or whatever the landlord may be content to accept as a year's rent, in respect of the year from November, 1880, to November, 1881, and there we adhere to the principle which he has adopted, that principle being the same as that of the Act of 1881. The next principle is one that is not found in the Act of 1881, but it is one that has been adopted by the hon. Gentleman and his Coadjutors in the framing of their Bill, and, as we think, with great propriety. It is the requiring that the tenant shall give proof before a competent tribunal of his inability to pay before he shall come forward with a demand, on the one hand, upon the funds of the State—that is to say, upon the public funds—or, on the other hand, upon his landlord. We make, however, this difference—I do not know whether it is more a difference of detail than of principle—but we make a certain difference in that provision which has not been introduced into the Bill now before the House. The plan must be worked through the medium of the Land Commission. The payments must be worked through their medium. But, of course, it is not possible that the Land Commission themselves—namely, the Chief Commissioners, could be the proper or convenient recipients of the proof of the inability of the tenant to pay. Naturally, they look first of all to their own Sub-Commissioners—but we propose, also, that they shall be permitted to delegate that duty to the County Court Judges, so that the proof of the inability of the tenant to pay, which is to be essentially the condition of this title to profit by the Bill, may be made either before the Sub-Commissioners or before the County Court Judges. That is a provision which extends and widens the operation of the plan by giving increased facility to go before the Commission. Then the former plan—that of 1881—was a plan of advance, with a provision for repayments by instalments, extending over 15 years. This is now to be converted into a plan of pure gift, so far as the contribution of the State is concerned. The limitation of the amount is the same as that which was contained in the Act of 1881. It was there applied to the loan; it is here to be applied to the gift or contribution of the State towards the liquidation of arrears—that is to say, it is to be an amount of payment which is not to exceed either one year's rent, or one-half of the total arrears which are to be dealt with. The House will understand that when we speak of arrears in the sense of this Bill, we do not include anything that refers to the payment between November, 1880, and November, 1881; but a year means what is anterior to those dates. Then, of course, it is a condition in this case that when the tenant shall have paid, or got quit of, by arrangement with the landlord, the year's rent from November, 1880, to November, 1881, and when the State shall have made its contribution, which cannot exceed one year's rent, nor can it exceed one-half of the total arrears that may be due, the whole of the rest of the arrears shall be cancelled and released altogether. That is the basis of the plan in its main particulars. There are some other points, however, that ought to be mentioned. We adopt a provision from the Act of 1881, under which it was provided that the parties might assign to the year 1881 any moneys paid by the tenant within 12 months before the passing of the Act. But the word "parties" there we modify, and we carry over the power to the Court. The parties were the proper persons to act under the Act of 1881, where the arrangement was entirely of a voluntary character; but here it is evidently the public authority that ought to decide whether the payment the tenant ought to make within a given time before the passing of the Act ought to be set down to the credit of the year 1880-1 or not. Some provision of this kind is quite necessary for the purposes of the Act. The case of estates in Ireland, it appears to me, so far as I can learn, is exceedingly different from the case of estates in England. In England, I apprehend, there are few estates that have not more or less of arrears draggling in their account; but for the most part they are very slight, and commonly very small, fragments of rent in arrear; so that while there are, perhaps, comparatively few estates absolutely and entirely without them, yet they are insignificant. In Ireland, on the contrary, it appears that there are a large number of estates with no arrears whatever; but, on the other hand, there are a considerable number of estates which have what may be called inveterate arrears, many of them hopeless arrears—arrears that are traditional—which pass from father to son, and which are carried on in a sluggish and inert state; and payments received from the tenant, although made out of the proceeds of a particular year, are not set down to the credit of that year, but are set down and carried backwards to the credit of some former years in which the rent was not paid at all and with which these payments have nothing whatever to do. I do not discuss that system as a system now; but it is quite evident that it would be absurd, in view of that system, not to make some provision in an Act of this kind, under which sums that were really obtained by means of the crop and the industry of the year 1880-1 may be put down to the credit of that year. Well, Sir, there is a clause to this effect—it need not be dwelt upon; but it has reference to the circumstance, especially in Ireland, that there is a rateable distribution where the rent is due to any person other than the landlord. That is a sub-clause, which was in the Act of 1881 adopted by the hon. Gentleman, and which we also adopt from that Act. There was a clause in the Act of last year to provide that tenants evicted since a certain date should not be excluded from the benefit of the Act, and that provision we adopt and incorporate into the Bill that we shall lay upon the Table. Then I come to the time during which applications may be made under this plan, and the date that we propose to fix is the date of the 30th of June, 1883. That, of course, would not mean that all applications must have been disposed of at that date, but that all applications must have been regularly lodged. I think it will be felt that we have given a very ample time for making these applications. It is not desirable that it should be a very long one, and I think the period allowed is a very liberal period, and I know not whether a shorter one would be sufficient. At any rate, I think it is ample for its purpose. Then, as to the source from which the public contributions is to be derived, we follow the rule of the Act of 1881. We propose to take it, as the hon. Gentleman the Member for New

Ross (Mr. Redmond) proposed to take it, and as the Act of 1881 proposed to take it, from the Surplus of the Irish Church Temporalities; and should that prove insufficient, in so far as it may prove insufficient we propose to provide it from the Consolidated Fund. I ought, perhaps, here to say, as a matter of form, that I have not asked the House to go preliminarily into Committee, which, of course, would be required before any clause could be inserted in a Bill which touched the Consolidated Fund; but I should ask the House to go into Committee on that clause before we go into Committee on the Bill, and in that way the Forms of the House would be complied with. It would not have been a convenient opportunity for explaining the details of the Bill, and on that account we have postponed the time for asking the formal sanction of the House. Then there is a provision of the Act of 1881 which has the effect of applying the peculiar Irish law known as equity of redemption, giving six months for redemption to the evicted tenant, to this Bill, and to say that a person having the benefit of this six months equity of redemption may be entitled to come under this Bill, and obtain the relief which it gives him in respect of arrears. I believe I have now gone over all the points that I need mention to the House. But, with respect to the amounts, I ought, perhaps, to give the House as much information as I can. It will be naturally inquired what is the probable amount of the demand that may be made for the liquidation of these arrears, in order to give effect to the Bill as a whole, and how much of that amount we expect to be able to draw from the Church Surplus. In submitting any estimate on a subject of this kind to the House, I do it with a fair warning that it is impossible to ascertain with any approach to strict accuracy the particulars I am going to mention. We have in Ireland very able officers, who have given their minds to this subject, and I speak with some degree of confidence; but the House will observe that, in regard to such a question as to the total amount of arrears of rent outstanding in a country, the very nature of the subject shows that, as these arrears are in no way within the cognizance of any ordinary public authority, any estimate which may be made of them must be received with indulgence. As regards the value of the Church Surplus, after it has satisfied the claims already established against it, I can speak with a nearer approach to appreciation; and what I should say is this—that the value of the Church Surplus not already pledged for the purposes for which it has been already used will not be more than £1,500,000; and I have no reason to believe that the claims which, under this Bill, would be made on the public funds for the liquidation of arrears would exceed, if they reach, the sum of £2,000,000. I do not think it would be prudent to state them at an amount lower than that; but I am bound to say, in regard to a question of this kind, that I think it is a very serious responsibility to deal with it at all. It is a subject of the utmost difficulty; and the precedent it establishes is of so grave a character, that nothing but a very strong sense of public necessity ought to induce us to meddle with it. But if you do undertake to meddle with it, in my opinion, it is better that the plan should satisfy, not only the condition of being generally equitable as between the parties affected, but likewise the condition of being effectual. I entirely concur with those who think that if we are to grant the public money for a purpose of this kind—and it is quite clear to me that no method except that of compulsion, combined with granting, will attain the object we have in view—if we are to do that in regard to so great an object as the contentment and tranquillity of a country, it is not a matter in which we ought too nicely and too narrowly to reckon the precise amount which we may be called upon to give. I believe these are all the particulars that have to be mentioned to the House. With regard to the measure itself, I may be asked how do I propose to proceed with it. Well, Sir, the facilities we may have in proceeding with this measure must depend, in the first place, upon the reception which the measure meets with from the House, and the favour which is accorded it; and, in the second place, on the progress which we may make with another measure of importance already before the House. We cannot displace—we should not feel ourselves justified in displacing—the Bill for the Prevention of Crime in Ireland from the place it occupies as first in its demands on the time of the House. But that is a Bill involving a considerable number of particulars, and one which it is obvious has some demand, though I hope not a very great demand, on the time of the House. With regard to the plan I now submit, the case, I think, is different. I do not think it is possible there can be a great deal of room for criticism of details. It may in the main be a question, "Ought we to deal with the subject of Arrears of Rent in Ireland?" If we ought, then I feel that it would be inexpedient and futile to enter into minute details upon secondary points, and that by far the best course the House can take, if they entertain the question at all, is to view these details with some degree of indulgence, and to keep in view as a desirable object the rapid and easy passing of a measure for the benefit of the people of Ireland. Having said what I have frankly with respect to the measure for the prevention of crime, I shall, notwithstanding, be very glad to look for any intervals or interstices of time in which this measure, if it prove generally acceptable, may be put forward. That is the statement which I have to make to the House; and I very sincerely hope, for the sake of all persons concerned in the settlement of the Land Question in Ireland, that the House may be disposed to take a favourable view of the scheme, and to allow it rapidly to take its place upon the Statute Book.

Motion made, and Question proposed, "That leave be given to bring in a Bill to make provision respecting certain Arrears of Rent in Ireland."—(*Mr. Gladstone.*)

SIR STAFFORD NORTHCOTE: Sir, it is generally a wise rule, I think, to abstain from offering any criticism upon an important Bill introduced by the Government at the first moment the statement is made with respect to it. Generally speaking, we are wise in waiting until we see on paper the provisions of the measure submitted to us; and even in the present case, I am not disposed widely to depart from that principle, though, I admit, there is a distinction between the present case and those we ordinarily have before us—for, although this is a measure for the first time brought before us by the Government, we can hardly regard it as an entirely new one. The speech of the right hon. Gentleman leads me to suppose that he must be prepared to ask the hon. Member for New Ross (Mr. Redmond) to put his name on the back of the Bill. A portion of the measure is founded on the Bill which was before us a fortnight ago on the Motion of the hon. Member for New Ross, with this difference, however, that the hon. Member for New Ross brought in a Bill which was intended to deal with all the points which he thought had yet to be dealt with in respect to the Land Law Amendment Bill, whereas the Government measure is confined to a single one of those points. The hon. Member for New Ross, undoubtedly, did propose a scheme for dealing with the Arrears Question; but he also proposed to deal with the Purchase Clauses and other matters. The Government propose to deal with arrears alone; and, inasmuch as in the proposal that they make they tell us that they intend to absorb the whole of the Church Surplus, and, something more, they utterly destroy the possibility of dealing with many of the other questions which arise, and in reference to which the Church Surplus might, perhaps, have been called into play. If we had been discussing the Bill of the hon. Member for New Ross, we might have considered how far it was right to apply the Church Surplus to one purpose or the other. If we apply the whole of the Church Surplus to the purpose of arrears, nothing will be left to apply either to the development of the Purchase Clauses, or to the development of what, I think, is very important—the Emigration Clauses. That being so, we have to consider this Bill upon its own merits; and I think that what has been said is sufficient to give us great matter for reflection. Evidently, it is in the contemplation of the Government that a contribution should be made, not only from a purely Irish fund—the Surplus of the Church Temporalities—but also from the Consolidated Fund, for the purpose which is stated—the purpose of extinguishing the claims of the landlords for the arrears of rent; and that claim is to be extinguished upon the principle of compulsion and upon the principle of gift. I do not, at this moment, attempt to discuss that question. It is a proposal that was made by the hon. Member for New Ross; it is a proposal that was contained in that remarkable letter which we heard read earlier in the evening by the hon. Member for the City of Cork (Mr. Parnell). Of course, I understand there was no bargain in the matter; but, somehow or other, the views that were put forward by the hon. Member for the City of Cork have been accepted by the Government, and they are those which are to be proposed to us. That is a step which is taken by the Government entirely irrespective of any bargain. I can only hope that the view of the hon. Member for the City of Cork, that it will be in the power of himself and his Friends hereafter to support the Liberal Party in the promotion of Liberal principles, will have effect given to it without any reference to any bargain whatever. Well, we shall have to deal with this question upon its own merits; and I will say a more difficult question, or one that requires to be approached more entirely from the point of the responsibility of the Government, without reference to the opinion of this or that section, but with reference to their own opinion as to the true merits of the question, I have never known. What have you to do? You have a case in which there are large sums due from tenants to landlords in respect of rent in arrear. A considerable proportion, at all events, of the sums so due are due from persons who could pay, but who have declined to pay. They have declined to pay, not upon their own suggestion, but upon the suggestion of an organization with which we have had to deal, and which is a difficult element in the government of Ireland. You are going to say to these persons—"If you cannot pay, your liabilities are going to be discharged, at the expense, partly of a great Irish fund which is available for the whole country, and partly at the expense of the Imperial Exchequer." What are you going to do with regard to persons who have paid their rent up to the present—have paid not only at considerable sacrifices to themselves, but, I think, under circumstances which, no doubt, made it very inconvenient, and also under circumstances of considerable danger; because not only have they undergone considerable privations in order to make up the money necessary to discharge the claims of their landlords, but they have had to run the risk of being "Boycotted," and having their houses burned, or of being mutilated, or perhaps actually murdered—and the only complaint against them was that they had paid their rent? Are you going to consider the cases of all those persons, so that you may do equal justice? Will it be possible for you to find out that the persons who are to be relieved in the way proposed are really persons who could not pay? And there is another question I might ask—Are you going, when you make this provision for meeting the case of those who are behind in their rents, to do anything for those persons who, we have reason to believe, are indebted to their tradesmen or their bankers? Are you satisfied that you will meet the whole case of those who have grievances in Ireland by such a measure as this, or are you not? I do not wish, at the present moment, to pronounce any opinion upon these questions, for they are questions which require very careful consideration. I do not, of course, object to the introduction of the Bill. We shall see what the Bill is like when it is placed on the Table. I only make these observations in order to point out the extreme difficulty of the matter; and I think we ought to have had some further argument than that which has been presented to us why this advance should be made by way of gift rather than of loan. I believe that any gentleman well acquainted with the state of Ireland would have rather recommended that loans on a different principle should be made, and that repayment should be asked for from those who have been assisted in this way. Everyone must feel the desirability, however, of settling this question, if it can be settled. My own belief is that it could be settled by way of loan; but I do not wish to pronounce any final opinion. I think it is well we ought to know what are the opinions of the hon. Members for New Ross (Mr. Redmond) and the City of Cork (Mr. Parnell), and also of Gentlemen in other parts of the House well acquainted with the condition of Ireland. I must say that I look at this proposal with anything but complete satisfaction; and though I am ready to assent to the introduction of the Bill, I think we ought to have full and fair time for the discussion of the measure, and for the consideration of its principles.

Mr. SHAW rose to express his gratification that the Government had decided to deal at once with this question. He did not, however, hesitate to say he did not approve of the principle on which the Government proposed to proceed. He was strongly in favour of the matter being dealt with by way of loan, and not by way of gift; but he was so alive to the importance of settling the question, which he considered was so much at the foundation of much of the evil that existed in Ireland, that he would not for a moment think of putting forward his views in any way that would embarrass the Government, or prevent them in settling the matter in the way they had decided upon. There were, perhaps, one or two things that probably the Government might re-consider before the second reading of the Bill. The limit of £30 was one which need not be adhered to. It might very advantageously be raised to £100; because if they left a margin of dissatisfaction and unrest of that kind they would fail to settle the question. It appeared that the Government intended some time this year to deal with the question of purchase. He hoped they would do so as soon as possible, because one of the greatest difficulties they had in Ireland was the unsettledness of the Purchase Question. It would be much better to at once grapple with the whole question and settle it, so that the mind of the people could be at rest. The people would know then what they had to expect; they would know they need not agitate their minds looking for impossibilities, but that they had better set to work on some real and substantial basis. He hoped the Government would see their way to give an early day for the consideration of the question. He assumed they considered the Bill they had brought in for the Prevention of Crime of great importance, and he would not in any way interfere with their views on that question; but he was convinced of this, that the measure introduced to-night would have more effect than anything else in pacifying the country, and he trusted that, even at the risk of interfering with other Business, the Government would not hesitate to give an early day for the consideration of the Bill.

MR. O'SHEA said, he would not intrude on the House at that hour (12.40), if it were not that he felt that unless he made an explanation with regard to what took place earlier in the evening, a very grave injustice would be done to the Government, to the hon. Member for the City of Cork (Mr. Parnell), and to himself. He would be as brief as possible; but, in order to put the matter clearly before the House, he hoped the House would grant him its patience. It had been his intention to visit Ireland during the Easter Recess, but he was prevented by illness. About that time he received many communications, verbal and written, respecting eviction on the one hand, and demoralization on the other. He had many cases placed before him, in which it was clear the end of forbearance was at hand, and those cases were not all cases in which the landlord was the creditor; many of them were cases in which the landlord was the debtor. The appeals of "suspects" for his good offices were multiplied. He had received visits from four representative tenant farmers from the counties of Clare and Limerick; he had before him evidence to show that the action and manner of some of the superior Resident Magistrates was driving the ordinary Resident Magistrates into a state which was nothing better than a veiled mutiny; he had received anonymous letters—evidently from members of the Constabulary—including an early copy of that Circular issued by County Inspector Smith, the reading of the withdrawal of which was the last important Parliamentary utterance of the right hon. Member for Bradford (Mr. W. E. Forster) as Chief Secretary; clergymen, tenants, landlords alike, were impressing upon him the immense dangers arising out of the burning question of arrears. But throughout all he observed there was a general sense of weariness—a state most conducive to the proposal of a truce and to the ultimate hope of a permanent peace. In England, too, people were comparing notes as to the statements made by the right hon. Member for Bradford during the debates of last year, and the right hon. Member had been reduced at least to the rank of a minor prophet in his own country. Under these circumstances, on the 8th of April, he (Mr. O'Shea) wrote to the Prime Minister, determined, in case the right hon. Gentleman's reply should admit of it, to take the liberty of submitting to him a statement on Irish affairs as they presented themselves to his poor judgment. Three days afterwards, quite unexpectedly, the hon. Member for the City of Cork (Mr. Parnell) called on him. Many things had happened since he had seen the hon. Member last. The last interview he had with him was in Dublin, two or three days before his arrest, when he ventured to offer him some admirable advice, to which he must do him the justice to say the hon. Member did not pay the slightest attention. On the 11th of April—that was the day on which he saw his hon. Friend in London, the day on which he was on his way to Paris on parole—his hon. Friend told him that his wish was to abstain from any course which might be construed into hostile political action; that he was extremely anxious to avoid all demonstrations. Their conversation, indeed, was merely that of personal friends, and certainly not of political allies, which the House was aware they had never been held to exactly be. Although he made no remark at the time, he observed, with surprise, there was a total absence in the hon. Member of rancour or ill-feeling. On the contrary, the hon. Gentleman told him of the kindness and consideration he had received in Kilmainham, and asked him to bring forward another Irish grievance in Committee of Supply, and that was, that prison officials in Ireland were very much worse paid than the prison officials of England. When he (Mr. O'Shea) expressed his opinion that the continued imprisonment of the "suspects" was exercising a most pernicious effect in Ireland, and his hope that the Government would make his release permanent, the hon. Member replied—and he afterwards took a note of what the hon. Gentleman had said—"Never mind the 'suspects;' we can well afford to see the Coercion Act out. If you have any influence, do not fritter it away upon us; use it to get the arrears practically adjusted. Impress on everyone your own opinion as to the necessity of making the contribution from the State a gift, and not a loan; and, further, the equal necessity of absolute compulsion. The great object of my life," added the hon. Member, "is to settle the Land Question. Now that the Tories have adopted my view as to peasant proprietary, the extension of the Purchase Clauses is safe. You have always supported the leaseholders as strongly as myself; but the great object now is to stay eviction by the introduction of an Arrears Bill." He (Mr. O'Shea) proceeded then to speak of the demoralization of the country, of the "no-rent" manifesto, of "Captain Moonlight," and of other intimidators. The hon. Gentleman replied — "Let eviction cease, and terrorism will cease. The 'Moonlighters' are sons of small tenants threatened with eviction, who believe the only escape for themselves and families is by preventing their more solvent neighbours paying their rent." He (Mr. O'Shea) remarked that he doubted very much whether the Government would do anything in the direction the hon. Member had indicated with regard to arrears. He then, indeed, feared the Chancellor of the Exchequer took far too paternal an interest in the Public Purse ever to do anything of the kind. "But," said he (Mr. O'Shea), "suppose that, foreseeing the dreadful state of Ireland, which must be consequent upon the eviction of scores of thousands of families, the Government should rise to the situation, and that a satisfactory settlement of the Arrears Question should be made, should you not consider it your duty to use your immense personal influence for the purpose of assisting in the preservation of law and order in Ireland?" The hon. Gentleman replied, "Most undoubtedly." He (Mr. O'Shea) immediately dropped the conversation, and the hon. Gentleman shortly afterwards left for Paris. The next day he had a note from the Prime Minister, and on the 13th he sent the right hon. Gentleman the statement on Irish affairs of which he had just spoken, which statement the hon. Member for the City of Cork had never seen to the present day. He thought it right to mention in his statement to the Prime Minister that he had seen the hon. Member for the City of Cork, but that he was ignorant of any intention on his (Mr. O'Shea's) part to write. On the 15th of April he received the following letter from the Prime Minister:—

"Dear Sir,—I have this day received your letter of the 13th, and I will communicate with Mr. Forster on the important and varied matter which it contains. I will not now enter upon any portion of that matter, but will simply say that no apology can be required either for the length or freedom of your letter. On the contrary, both demand my acknowledgment. I am very sensible of the spirit in which you write. I think you assume the existence of a spirit on my part, with which you can sympathize. Whether there can be any agreement upon the means or not, the end in view is of vast moment, and assuredly no resentment, or personal prejudice, or false shame, or other impediment extraneous to the matter will prevent the Government from treading whatever path may most safely and shortly lead to the pacification of Ireland."

He thought the great majority in the House, and the great majority of the people, would consider that those were noble words. Two policies seemed to be propounded by public speakers and public writers—the one, a total disregard of every opinion outside a limited circle; the other, an impartial examination of broader views, and their adoption, if they proved to be sound. The one might be "the blind leading the blind;" the other might result in the advantages which the prudent general sought on the line of march by the interrogation of the intelligent native. He also wrote to the President of the Board of Trade, inclosing a copy of his letter to the Prime Minister. He received from the right hon. Gentleman an answer which contained food for reflection on both sides of the Channel. The right hon. Gentleman wrote—

"My Dear Sir,—I am really very much obliged to you for your letter, and especially for the copy of your important and interesting communication to Mr. Gladstone. I am not in a position, as you well understand, to write you fully on the subject, but I think I may say that there appears to me nothing in your proposals which does not deserve consideration. I entirely concur in your view, that it is the duty of the Government to lose no opportunity to acquaint themselves with representative opinion in Ireland, and for that purpose that we ought to welcome suggestion and criticism from whatever quarter, and all sections and classes of Irishmen, provided they are animated by a desire for good government, and not by a blind hatred of all government whatever. There is one thing you must bear in mind, that if the Government and the Liberal Party generally are bound to show greater consideration than they have hitherto done for Irish opinion, on the other hand, the leaders of the Irish Party must pay some attention to public opinion in England and Scotland. Since the present Government have been in Office, they have not had the slightest assistance in this direction. On the contrary, some Irish Members have acted as if their object were to embitter and prejudice all English opinion. The result is that nothing would be easier than at the present moment to get up, in every large town, an anti-Irish agitation, almost as formidable as the anti-Jewish agitation in Russia. I fail to see how Irishmen or Ireland can profit by such a policy, and I shall rejoice whenever the time comes that a more conciliatory spirit is manifested on both sides.—Believe me, yours very truly, J. CHAMBERLAIN."

Thus inspired with confidence, he (Mr. O'Shea) had many conversations with Members of the Government, including several with the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), in which, while all compromise or bargain was effectually excluded, he endeavoured, and he was proud to say he endeavoured successfully, to remove many prejudices and misunderstandings. Of course, ulterior events proved to him that he was mistaken with regard to the right hon. Member for Bradford; but really, at one time, in fact, nearly up to the end, he had very good reasons on which to build the hope that he had made some impression upon the right hon. Member for Bradford. He had opportunities of more ample communication with the hon. Member for Cork City (Mr. Parnell) on his return from Paris on his way to Kilmainham. The general effect of what had occurred was apparent in the debate of last Wednesday fortnight, when hon. Gentlemen opposite were dismayed by the intrusion of unexpected and unwelcome courtesies. He wrote to the hon. Member for Cork City his impressions of that debate, and in reply his hon. Friend wrote him the letter which was read to the House this afternoon. The right hon. Member for Bradford very kindly gave him leave to correspond privately with the hon. Member for the City of Cork, and it was the right hon. Member, of course, who gave him a pass into Kilmainham; and if there was any secrecy about the thing, it was conceived and contrived by the right hon. Member himself. When he went to Kilmainham, he had nothing whatever to say to the hon. Member for the City of Cork with regard to his release. He knew nothing about it, and he supposed no one knew anything about it until the beginning of the next week. His conversation with the hon. Member was long and general; but he had no hesitation in saying to the House that he took a very great interest in the matter, and went very largely into the necessity of the withdrawal of the "no rent" manifesto. He was glad to ascertain in Kilmainham from the hon. Member that it had already been withdrawn.

MR. PARNELL: The words were "ceased to circulate it."

MR. O'SHEA knew that they were tantamount to its withdrawal. The impression clearly meant to be left in his mind was, that it was withdrawn. As to the omission of the sentence from the letter which had been read early in the evening, what occurred was this. He was, as he had just said, in constant communication with the right hon. Member for Bradford, and on Sunday morning, the 30th of April, he handed to the right hon. Gentleman the letter in question. He believed that the hon. Member for the City of Cork considered that he ought not to have handed the letter to the right hon. Gentleman individually; but as he knew that the hon. Member (Mr. Parnell) had already told the hon. Member for Longford (Mr. Justin M'Carthy) and himself (Mr. O'Shea) that there was no secrecy whatever about his opinions, he used his discretion, or his indiscretion, as the case might be. But he (Mr. O'Shea) was as strongly opposed to the idea of any bargain as any Member of the Government; and it struck him in the course of that same afternoon that one phrase might be misunderstood by the only persons who he could have ever supposed would see it —namely, the Members of the Cabinet. The next morning he saw a Cabinet Minister, and he said to him that he considered his authority extended to the use of his own judgment in such a matter; and, in order that no Member of the Cabinet should suppose that there was any bid for release, he begged that the sentence in question should be expunged. He had no reason to doubt that the passage had in consequence been expunged. The hon. Member for the City of Cork had kept no copy of the letter, and he believed it was on Friday last that he asked him for one. He then wrote out what he believed to be a true copy of the letter. One thing, however, he wished the House to understand, and that was, that if any blame attached to this matter, it was altogether his own; and, therefore, he hoped that the House would acquit the hon. Member for Cork City of having any idea that there was an omission when he read the letter that afternoon. He wished the right hon. Member for Bradford would be a little more tolerant. There were, he fancied, very few politicians who had joined in agitations and political struggles who had not, at some time or another, used words which they afterwards wished they could recall, and it might even be that such a Purist as the right hon. Gentleman had occasionally spoken a little more strongly than was necessary, or, for aught he knew, joined in movements which at the present day he did not approve. Much as he differed from the right hon. Member during his tenure of Office, he had never persecuted him, and on that he founded his appeal. He acknowledged that the right hon. Gentleman had been very cruelly baited while he was Chief Secretary for Ireland. But the "Bear" was now loose. He had no doubt that it was very soothing to the right hon. Gentleman's feelings to aggravate the hon. Member for the City of Cork, but it was not for the public benefit that any obstacle should be thrown in the way of that hon. Member's intended action, as expressed in the letter of to-day, and, therefore, he trusted that the right hon. Gentleman would accommodate himself to the situation, and turn his eyes from the exaggerations of the past to the possibilities of the future.

Mr. W. E. FORSTER: I am sorry that, in the consideration of this very important question of the arrears, it should be necessary to allude to this special and personal matter; but, after the speech of the hon. Member for Clare, it is incumbent on me to do so. I am afraid, from what he said, that I must state all that I know about this matter. To a great extent I agree with the hon. Member that the circumstance arose out of a letter from the hon. Member for Clare to my right hon. Friend the Prime Minister. My right hon. Friend knows very well that he sent me that letter, and that when I sent it back to him, I took precisely the same view as that which I stated I had taken a few days ago in the House when explaining my motives for resignation. However, the negotiations or correspondence went on. The hon. Member says he was in constant communication with me. I certainly did see him a few times; but his communication was to a great extent in respect of letters to the Prime Minister, and my right hon. Friend the President of the Board of Trade. The time came when it appeared to be desirable to the hon. Member for Clare and others, that he (Mr. O'Shea) should see the hon. Member for the City of Cork (Mr. Parnell) at Kilmainham. There was a Question by the hon. Member for Newcastle (Mr. Cowen) on the Friday, I believe, as to what would be done with regard to the Members of Parliament who were under arrest. It was a Question addressed to me. I happened to see the hon. Member for Clare, and I told him the answer that I thought should be given. The Question was as to whether the Government would release those Members or not, and my reply was exactly in the same direction as that which the House knows to be my opinion. I told him I thought we could release them whenever Ireland became quiet; or when the Government got a fresh Bill passed; or obtained from them without any conditions whatever an assurance that they would not break the law. I was not very exigient. I did not ask them to assist in keeping the law, but simply not to break it. My right hon. Friend the Prime Minister did not approve of my giving that answer; and the consequence was that the Question was not answered by me, but by him. The hon. Member for Clare then went to Kilmainham, and I certainly facilitated his seeing the hon. Member for the City of Cork. I did that on precisely the same ground on which I had facilitated many visits to persons detained under the Protection Act. Whenever I had reason to hope, or believe, or had any sort of expectation, that the result of the visits would be such a promise of good behaviour as would enable me with safety to recommend the release of persons detained, I was very glad to promote such visits. I cannot say I was very sanguine as to the result of the visit of the hon. Member for Clare. However, the hon. Member went to Kilmainham, and when he returned he came to see me on Sunday morning. I am afraid I must really state the impression which his conversation on his return gave me. I took a memorandum of that conversation at the time, and I shall be glad if the hon. Member will correct me if I have made any mistake. This was the memorandum which I sent to the Prime Minister and circulated amongst my Colleagues—

"After telling me that he had been from 11 to 5 yesterday with Parnell, O'Shea gave me his letter to him, saying that he hoped it would be a satisfactory expression of union with the Liberal Party. After carefully reading it, I said to him, 'Is that all, do you think, that Parnell would be inclined to say?' He said, 'What more do you want? Doubtless I could supplement.' I said, 'It comes to this—that upon our doing certain things he will help us to prevent outrages'—or words to that effect. He again said, 'How can I supplement it?'—referring, I imagine, to different measures. I did not feel justified in giving him my own opinion, which might be interpreted to be that of the Cabinet, so I said I had better show the letter to Mr. Gladstone and one or two others. He said, 'Well, there may be fault in expression, but the thing is done; if these words will not do, I must get others, but what is obtained is' (and here he used most remarkable words) 'that the conspiracy which has been used to get up boycotting and outrages will now be used to put them down."

MR. O'SHEA: As the right hon. gentleman asked me to confirm the words of his memorandum, I must say I cannot confirm that expression at all. I did not use the word "conspiracy;" "organization" is, I believe, the word I used.

MR. W. E. FORSTER: I took it down shortly afterwards. However, I do not see much difference between the words. The memorandum proceeds—

"And that there will be a union in the Liberal Party. And as an illustration of how the first of these results was to be obtained, he said that Parnell hoped to make use of a certain person, and get him back from abroad, as he would be able to help him to put down conspiracy or agitation—I am not sure which word was used—as he knew all its details in the West."

I added, for the information of my Colleagues—

"This last statement is quite true—this man"—

I will give his name if required. [*Cries of* "Name!"] It is Sheridan—

"Is a released 'suspect,' against whom we have for some time had a fresh warrant, and who, under disguises, has hitherto eluded the police, coming backwards and forwards from Egan to the outragemongers in the West. I did not feel myself sufficiently master of the situation to let him see what I thought of this confidence; but I again told him that I could not do more at present than tell others what he had told me."

That was the information which the hon. Member gave, and which strongly influenced my action. The hon. Gentleman says I ought to accommodate myself to the situation. What was the situation? It was this. The hon. Member for the City of Cork, some other Members, and many persons, had been imprisoned because we had reason to believe and suspect—we had strong reason to believe—that they were engaged in a course of lawless intimidation. There had been no apology for that conduct, and there had been no statement made that it would be given up. The hon. Member alludes to some words which, I suppose, are those quoted by me from the speech of the hon. Member (Mr. Parnell) at Ennis. They were only illustrative of the whole course of the agitation and the whole conduct of the movement, in order to stop which it had been necessary to imprison the persons in question. Now, the situation is this. I was informed that if certain things were done, if a Bill were brought forward, on the merits of which I do not wish to speak now—there is a very great deal to be said in favour of it—that if that were brought forward, then the hon. Member would cease from his illegal course, and would strive to help the law. And the illustration that was given was one that perfectly surprised me. It gave me a sort of insight into what had been happening which I did not possess before—that a man whom I knew, so far as I had any possibility of knowing, was engaged in these outrages, was so far under the influence of the hon. Member for the City of Cork that, upon his release, he would get the assistance of that man to put down the very state of things which he had been promoting. Sir, I came away from that interview with this feeling—that I was very sorry I had had anything whatever to do with the negotiation, although all I had to do with it was to try to get from the hon. Member for the City of Cork a promise not to break the law. I felt I would have nothing more to do with it, because, if it was possible to injure the power of the Government in Ireland, and to make it more difficult to preserve order, it was by entering into any arrangements with a Gentleman who said—"If I can get certain things done, then I will no longer instigate a breach of the law; I will try to help you to keep it, and I will even make use of agents who have been used for the purpose of outrages to put them down." Sir, I have done.

Mr. PARNELL said, he was glad that the Government had announced their intention of dealing with the question of arrears, because he believed by a settlement on the lines indicated by the right hon. Gentleman the Prime Minister the pacification of Ireland would be better secured than by any number of Coercion Bills such as that which was introduced the other evening. He wished to express his thanks to the hon. Member for the county of Clare (Mr. O'Shea) for the very able and clear statement he had made of what had passed between himself and that hon. Member. The letter which he wrote to the hon. Member was marked "private and confidential." On his hon. Friend's visit to him in Kilmainham, he asked for and obtained his permission to show it to one other person. He did not wish to find fault with him for having handed it to the right hon. Gentleman the Chief Secretary to the Lord Lieutenant, although, certainly, he had no intention that it should have fallen into his hands; but, as he had said, he did not wish to find fault with his hon. Friend for the responsibility he had taken upon himself in this matter. He had felt, with reference to the question of arrears in Ireland, as relating to the situation of the smaller tenants, the very gravest anxiety and responsibility for many months; and he was rejoiced that the hon. Member had found some way of placing the views of himself and those with him before the Government. They had been aware, from what they had seen in the newspapers, and from the information of prisoners who came in from time to time, and who received letters from different parts of the country, that evictions in large and very much greater numbers than had occurred up to the present, were imminent, unless some such proposal as the Prime Minister had announced were made in regard to arrears. They had anticipated that there would be three times as many evictions in the present quarter of the year as there were in the first quarter, when 7,000 persons were turned out of their homes. They had also every reason to believe that, owing to the fact that the smaller tenantry in Mayo, Galway, Sligo, and parts of Roscommon, Donegal, Leitrim, and Kerry, were sunk in arrears to the extent of three or four years—in many cases four or five or six years, and in some cases 10 or 12 years—the year's or half-year's rent, by the payment of which the tenants had obtained a temporary respite from eviction, would be but a temporary respite, and that the coming winter would see evictions resumed against the smaller tenants to an extent never witnessed in the country since 1848. They feared, also, that the outrages, which had been so numerous during the last six months, would increase as the winter came on; and that a state of affairs in Ireland would follow, owing to the non-settlement of this question, the end of which they could not possibly foresee. The right hon. Gentleman the late Chief Secretary had given his account of the conversation which he held with the hon. Member for the county of Clare, in which a certain statement was made as to what he (Mr. Parnell) would do in the event of the Arrears Question being settled. He thought the expression was used, that the same organization which had been used to promote outrages would be used to put them down. [Mr. O'SHEA dissented.] His hon. Friend shook his head at that, and he was glad to see that he did so, because if his hon. Friend had been under the impression that he had used any expression of the kind, or that he had conveyed to him any such impression in any conversation with him, he was entirely mistaken. What he had attempted to convey to him was, that, in his belief, the persons who were taking part in these "Moonlight" outrages, which he could assure the House he had heard condemned in Kilmainham in the strongest terms, and which were exceedingly repugnant to their feelings—[*Opposition laughter*]—he was, perhaps, much better able to speak of the actual feelings of his fellow-prisoners than those who laughed—were the smaller tenantry on the estates who were unable to pay their rent, and who were attempting to intimidate or coerce the larger tenantry who were able to pay, in order that they might not be evicted after the landlords had obtained the bulk of their rents from the larger tenants. He believed that these smaller tenants felt that their only protection was to keep the larger tenantry from paying their rents, so that the landlords, after the deprivation of their rents, might be compelled to come to terms, and allow the smaller tenantry not to pay anything. That was the origin of the movement, which was directed against a class who could pay, and its object was to prevent them paying, in order that the smaller tenantry should be saved from eviction and allowed to remain on the estate. That was the reason why he had been so anxious to press for a settlement of the question of arrears; and it might, perhaps, be in the recollection of the House that last year, when the question as to the tenants who could pay and those who could not pay was raised, he had publicly offered to advise those who could pay to do so, if those who could not were saved from eviction. The Prime Minister at the time appeared to be very much impressed with that statement; but, unfortunately, it was not possible to obtain the introduction of a practical method of settling the arrears into the Bill of last year. Those arrears were, in consequence, still outstanding, and the state of affairs which existed then existed to-day; the only way in which the smaller tenantry could protect themselves being to get the larger tenantry to refuse to pay rent until fair terms were extended to the former class. He had no hesitation in saying that, in the face of such a measure as the Prime Minister had proposed, this state of affairs entirely ceased. It came to an end, because the smaller tenantry would be efficiently protected by the measure of the right hon. Gentleman; and there would be no longer an excuse, he would not say for the commission of "Moonlight" outrages, but for getting the larger tenantry to refuse to pay their rent, in order to protect the smaller tenantry. Now, with regard to Mr. Sheridan's name, which had been introduced into this discussion. The right hon. Gentleman said he had information with regard to Mr. Sheridan. He knew nothing of that. But, certainly, his hon. Friend (Mr. O'Shea) must have entirely misunderstood what, he believed, he had conveyed to him with regard to Mr. Sheridan's return to Ireland. He (Mr. Parnell) had asked that Mr. Sheridan and Mr. Egan might be permitted to come back, in the event of this question being settled. He also mentioned Mr. Davitt's name, saying that it was of great importance that Mr. Davitt should be released. Mr. Sheridan was — and he had so told his hon. Friend—one of the chief organizers of the Land League in Connaught. He had told his hon. Friend that if Mr. Sheridan were permitted to return to Ireland, he believed he would be able to use his influence to discourage the commission of outrages, and to induce the tenantry to accept this settlement of the Arrears Question. This influence, however, was one solely arising from a knowledge which he understood Mr. Sheridan to have obtained during the time he was acting as an organizer of the Land League. As to the information which the late Chief Secretary now gave the House, it had come upon him entirely by surprise; and he could not understand how it was that the right hon. Gentleman had been able, in the statement he had just made to the House, to represent the hon. Gentleman as having stated that he (Mr. Parnell) was in any way aware of that information.

Mr. O'SHEA said, he wished to say, by way of a personal explanation, that what had fallen from the hon. Member for the City of Cork was absolutely correct. The hon. Member had told him nothing, and he (Mr. O'Shea) knew nothing, as to Mr. Sheridan having been suspected of having been engaged in the commission of crime.

Mr. PARNELL said, he knew Mr. Sheridan; he had seen him on several occasions, and he had had no reason to believe that he had ever incited to the commission of any crime. He believed so still; and, certainly, the statement the right hon. Gentleman had made had come upon him entirely by surprise. He had believed that it would have been well to have permitted Mr. Sheridan and Mr. Egan to have returned to Ireland, and he believed so still. As to Mr. Davitt, he was the only person whose release he had spoken of. He knew that this gentleman had used the most strenuous exertions to prevent the commission of crime and outrage in Ireland, and that those exertions had, on many occasions, been successful. If Mr. Davitt had been released, he believed he would have been of great assistance in discovering the perpetrators of crime, just as he believed that Mr. Sheridan would have been of most important assistance in preventing crime in Ireland.

Mr. O'CONNOR POWER said, he thought that whatever was said about these matters, hon. Gentlemen would still be disposed to form their own conclusions. Discussion upon this subject would not in the slightest degree assist the House in determining the value of the Prime Minister's statement upon the subject of arrears. He (Mr. O'Connor Power) would extend a very simple invitation to those who were interested in the Treaty of Kilmainham, which was to forget all about it as soon as possible, and to seize this opportunity of making a new treaty, not with the representatives of any political organization in Ireland, but with the landlords and tenants, who represented the whole body of that country. The proposal of the Prime Minister was one that he knew would be of enormous advantage to the poor tenants in Ireland, who did not belong to the class of whom it had been said, "They can afford to, but they will not, pay;" but who belonged to the class who could not possibly pay, unless they were aided by some such measure as this. Representing, as he did, a large number of small tenant farmers, who had not been brought under the influence of the "no rent" manifesto, and who were anxious to honestly discharge their obligations, he heartily thanked the right hon. Gentleman for the introduction of the measure. He joined with the hon. Member for the City of Cork (Mr. Parnell) in saying that it would do more for the pacification of Ireland than the most stringent Coercion Bill Her Majesty's Government could possibly pass. He hoped, therefore, the Prime Minister would not fail in his promise to avail himself of every interval of time, no matter how small that interval might be, to make progress with this measure and pass it through the House. He was sure the measure was one which would be availed of by both landlords and tenants; and as it could be availed of by either party on strictly equitable grounds, he did not see that it could produce any evil effects whatever in its operation. The House was always ready to listen with more than respect—with profound respect—to any remarks which the right hon. Baronet the Leader of the Opposition (Sir Stafford Northcote) made, especially on a financial question; and he was sure that when they got a further opportunity of discussing these financial proposals, they would pay the greatest attention to the right hon. Gentleman's views. But the right hon. Gentleman asked, "If the tenants who have not paid their rent are, under the provisions of this Bill, to be relieved, what are you to do with the tenants who have already paid?" He (Mr. O'Connor Power) would answer the question in a very simple way. The tenants who had paid already, under trying circumstances, would, in his judgment, make very good material from which to commence the creation of that peasant proprietary which the late First Lord of the Admiralty (Mr. W. H. Smith) was so anxious to create in Ireland. Let those solvent tenants who, under very difficult circumstances, had paid their rents, be converted as speedily as possible into tenant proprietors. There was no reason, however, why they should multiply difficulties. If tenants had paid their rents, then there was an end of the matter, so far as those tenants were concerned. If Parliament could devise some system of judicial rent, which would prevent the tenants from having to pay exorbitant rents in future, they would, no doubt, bring about a good result; but there could be no profit in going back to the consideration of liabilities that had been discharged. He hoped, therefore, the House would give a favourable reception to this measure, which was one of a constructive character. They would show a better sense of the requirements of society in Ireland, by giving a favourable reception to this measure, than they would by indulging in barren personal discussions, which were of no practical value whatever.

DR. LYONS said, he desired to say a few words on this question, because he might justly describe himself as the original patentee of this scheme, as he was the first person, two years ago, to bring it before the notice of the House, when he brought forward, on August 6, 1880, a proposal for an Address to the Crown for an advance, by way of loan, of £2,000,000 out of the Church Surplus, with a view of assisting distressed tenants who were unable to meet their engagements in the shape of rent. He had not, however, the good fortune to secure sufficiently the attention of the House or of the Government to the proposal. He had then endeavoured to describe what they had to anticipate if the leading creditor of the tenant—namely, the landlord, were to press him for the payment of rent, and he was justified in saying that had the proposal then been entertained they would have been saved much of the horror they had passed through during the last two years. He had then stated in *The Times*—

> "Of the gravity of the situation in Ireland no doubt can be entertained; and should the broken season we are passing through falsify the hopes of an abundant harvest, the situation of that part of the Empire must be such as has not been realized since the Famine of 1847. The expectations raised by the Compensation for Disturbance Bill—the wisdom or unwisdom of which I do not stop to inquire into—have received a rude and stunning shock by the result of the division in 'another place;' and the two great classes of the country, landlords and tenants, stand in opposing ranks, as, in too many instances, needy creditors, and still needier debtors, while credit is unfortunately, and, as I hold, needlessly, suspended to a large extent for both by monetary panic and a general distrust, based on misapprehension of the conditions of the social and material problems involved. Each day brings us fresh evidence that the relations of the two great classes are becoming more strained; and I think that those who heard the statement of the Chief Secretary to-day, that Her Majesty's troops were being stationed in detachments throughout various parts of the West of Ireland, cannot but realize that a crisis has been arrived at which it would be an object worthy of the highest efforts of statesmanship to in any manner alleviate, and to, if possible, wholly avert."

Looking back upon the statements at that time made both in the Press and in the House, he thought he was fully borne out in his expectations and forecast in this regard. But it was not for the purpose of taking to himself this small credit, but in order to appeal to the Prime Minister, as he had now taken up the matter upon so large a scale, to make it fully commensurate with the actual wants of society in Ireland. He was quite prepared to admit that the tenants of holdings under £30 valuation were, in the vast majority of instances, those who most required assistance towards liquidating their debts; but he could assure the Prime Minister, from a practical acquaintance with the subject, and also from the numerous inquiries he had made during the past two years—because, from the time he first made his proposal, the subject had never passed from his mind, and he took every opportunity of ascertaining the actual state of the tenantry in that country—that there were a very large number of tenants of above £30 valuation who would be, if possible, in a still worse position than those who had a low valuation. The measure would fall very short indeed of the complete success that would otherwise be secured if they allowed themselves to be limited to the hard-and-fast line of a £30 valuation. In many respects the tenants who were valued at above £30 and who appeared to have got into difficulties, were those who found it almost impossible to work themselves out of the position into which they had fallen, and for the reason that their debts were immensely greater to them, in proportion, than were the small debts of the smaller tenants. In very many instances the position of these tenants was simply this, that, but for the toleration extended to them by the landlords where they owed two or three years' rent—and there were very many cases of this kind within his own cognizance—they would have been cast out on the road side. There was also this to be borne in mind, that the sums these tenants owed, being considerable, were a great drain on the landlords to whom they were due. In a large number of cases the landlords were so drained of resources that they were not able to employ labour in anything like the proportion that was required in the country in order to give the labouring poor a reasonable amount of occupation during the winter. This would be seen when he mentioned the single instance of a nobleman who had informed him that for years it had been customary with him to give employment to 400 people in the winter, but that now, owing to the fact that £10,000 was due to him as arrears of rent, he was unable to employ more than 10 or 12 men. He would, therefore, appeal to the Prime Minister—and he was glad he was backed up by the practical experience of the hon. Member for the County of Cork (Mr. Shaw)—to allow the limit to be raised to at least a £50 valuation. As that hon. Member had said, there could be no practical objection to raising the limit to £100; but, at all events, he would urgently press on the right hon. Gentleman the desirability of raising the limit to £50. It would be safe, in his humble judgment, to have no limit at all, but to leave it open to the Commissioners to deal with each individual case on its merits, the Commissioners having full and ample power to reject or consent to any application made to them. This was really the vital point—the hinge upon which the whole thing turned—and he would press it as strongly as he could on the attention of the Prime Minister. In doing so, he was quite prepared to fall back on his own proposal of "loan" for the higher class of tenants, while that of gift might, as proposed by the Government, be restricted to the lower valuation.

Colonel NOLAN said, it would be an invidious thing if those tenants who had had additions made to their rents were to go on paying those additions, whilst they saw that those who had held out a few months longer were getting reductions. There were a few mountainous districts, such as Connemara and parts of Kerry, where 1,000 or 2,000 tenants would, under the very generous scheme of the Prime Minister, have their cases met. He was not speaking for the whole of his own constituents, but of a few mountainous districts where he had witnessed evictions. But then there was the question of costs, which, though a small matter, would have to be considered so far as certain districts were concerned. The Commissioners, or someone else, should be empowered to settle the question of costs.

Mr. GLADSTONE: I am not sure that I gathered very clearly the nature of the question—considered as a practical matter—addressed to me by the hon. and gallant Member who has just sat down; but if he will put it in writing I shall be very happy to consider it. He refers to a case where a number of tenants have suffered under the provisions of the Act of last year, and wishes to know, I think, whether we are to expect them to pay the debts they have contracted. I apprehend that if they arrived at a settlement under the Act of last year, it was because they found it to their advantage so to settle, and without finding it advisable to give, before a tribunal, proof of their inability to pay their rents. I do not see how it will be possible to bring them in the category of those who must give proof of their inability to pay their rents before they can have the benefit of the Act. The hon. Member for Clare (Mr. O'Shea) is under a misapprehension with regard to the letter he addressed to me on the 13th of April. I think it would, or might, have been gathered by those who heard the speech of the hon. Member, that in that letter he professed to make known to me the sentiments of the Members of Parliament who were in Kilmainham Prison.

Mr. O'SHEA: I said in my letter to the right hon. Gentleman, that, though I had seen the hon. Member for Cork City, I had not mentioned to him that I was going to write to the Prime Minister.

Mr. GLADSTONE: That letter I took to represent the sentiments of the hon. Member himself, and not those of any other hon. Member. He stated that he did not represent the sentiments of any other hon. Member.

Mr. O'SHEA: Certainly.

Captain AYLMER said, the debate on the introduction of the Bill gave place to a series of personal explanations; and only one hon. Member on that (the Opposition) side had spoken on the Bill during the whole time. There was one thing the right hon. Gentleman had said which would give satisfaction to Members on that side of the House. He had said something about compensation, recognizing the fact that compensation should be given to embarrassed landlords. Another thing he had said which had caused great surprise on that side of the House—namely, that not only was £2,000,000 to be paid for the tenants, but that £2,000,000 was to be found by the tenants themselves—by the people who could not pay their arrears. He, for one, should offer the strongest opposition in his power to this measure, and would give the right hon. Gentleman Notice of his intention to put the following Resolution on the Paper:—

> "That, while the House is willing to vote money for the relief of distress in Ireland, and the development of the resources of that country, it is of opinion that a grant of public money for the payment of arrears of rent will not effect either of those objects, and is opposed to every principle of political economy."

Motion *agreed to.*

Bill to make provision respecting certain Arrears of Rent in Ireland, *ordered* to be brought in by Mr. Gladstone, Mr. Secretary Childers, Mr. Attorney General for Ireland, and Mr. Solicitor General for Ireland.

Bill *presented,* and read the first time. [Bill 163.]

LOCAL GOVERNMENT PROVISIONAL ORDER (ARTIZANS' AND LABOURERS' DWELLINGS) BILL.

On Motion of Mr. Hibbert, Bill to confirm a Provisional Order of the Local Government Board, under the provisions of "The Artizans' and Labourers' Dwellings Improvement Act, 1875," relating to the Borough of Nottingham, *ordered* to be brought in by Mr. Hibbert and Mr. Dodson.

Bill *presented,* and read the first time. [Bill 162.]

PUBLIC ACCOUNTS COMMITTEE.

Select Committee on Public Accounts *nominated*:—Sir Walter Barttelot, Mr. Leonard Courtney, Mr. Gorst, Sir Henry Holland, Mr. Laing, Sir John Lubbock, Sir Charles Mills, Mr. Rylands, Mr. Seely, Sir Henry Selwin-Ibbetson, and Mr. Shaw.

PRINTING.

Ordered, That a Select Committee be appointed to assist Mr. Speaker in all matters which relate to the Printing executed by Order of this House, and for the purpose of selecting and arranging for Printing, Returns and Papers presented in pursuance of Motions made by Members of this House:—

The Committee was accordingly nominated of Mr. Leonard Courtney, Sir Joseph Pease, Mr. William Henry Smith, Mr. Stansfeld, Mr. Spencer Walpole, Mr. Whitbread, Mr. Rowland Winn, Mr. Ramsay, Mr. Parnell, and Colonel Tottenham.

Ordered, That Three be the quorum.—(*Mr. Leonard Courtney.*)

ORDERS OF THE DAY.

PUBLIC OFFICES SITE BILL.—[Bill 111.]

(*Mr. Shaw Lefevre, Lord Frederick Cavendish.*)

SECOND READING.

Order for Second Reading read.

Mr. SHAW LEFEVRE, in moving that the Bill be now read a second time, said, there was a general wish that the measure should pass that stage; therefore, he hoped they would be allowed to take the second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Shaw Lefevre.*)

Motion *agreed to.*

Bill read a second time, and *committed* to a Select Committee.

ARTILLERY RANGES BILL.—[Bill 125.]

(*Mr. Secretary Childers, The Judge Advocate General, Mr. Campbell-Bannerman, Mr. Trevelyan.*)

COMMITTEE.

Order for Committee read.

Sir ARTHUR HAYTER moved—

> "That the Order for Committee be discharged, and that the Bill be referred to a Select Committee of Seven Members, Four to be nominated by the House, and Three by the Committee of Selection."

He might be allowed to say that the object of this was that certain clauses might be considered and inserted for the purpose of safeguarding the interests of persons who had proprietorial rights.

Motion *agreed to.*

Order for Committee *discharged.*

Bill *committed* to a Select Committee of Seven Members, Four to be nominated by the House, and Three by the Committee of Selection.

PUBLIC SCHOOLS (SCOTLAND) TEACHERS BILL.—[BILL 153.]

(*Mr. Mundella, The Lord Advocate, Mr. Solicitor General for Scotland.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Mundella.*)

MR. DICK-PEDDIE said, he did not wish to oppose the second reading of the Bill, but desired that the Committee stage should be put down for such a date as to allow the school boards of Scotland time to consider it.

MR. MUNDELLA: I did not say anything in moving the second reading, because the Bill has been discussed already. It was thoroughly discussed on the second reading of the Bill of the hon. Member for Wigtonshire (Sir Herbert Maxwell), and the clauses contained in this Bill were agreed to by all the Scotch Members who addressed the House on that occasion. I will fix the next stage for a convenient day.

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

COUNTY COURTS ACT (1867) AMENDMENT BILL.—[BILL 146.]

(*Mr. Henry H. Fowler, Mr. Monk, Mr. Reid.*)

SECOND READING.

Order for Second Reading read.

MR. H. H. FOWLER said, the object of the measure was simply to extend the jurisdiction of the County Courts, which was optional up to £50, and make it compulsory up to that sum. The Bill was in the form that had been recommended by Select Committees of the House. Measures had been introduced to carry out a similar reform. It was a Bill of only one clause, extending the jurisdiction of County Courts from £20 to £50.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Henry H. Fowler.*)

MR. WARTON said, he hoped the hon. Member would not press the second reading of the Bill, as its effect would be to throw a greater amount of work upon the County Court Judges. He knew something of County Court Judges, having practised before three of them, and he must say the result of his experience was that these gentlemen were most unfit to try cases. He would not go into individual cases; but, with very few exceptions, the County Court Judges were found to be very bad lawyers. He earnestly hoped the hon. Member, for whose opinions he had the greatest respect, would postpone the measure for further consideration. The hon. Member knew perfectly well that the County Courts Act of 1867 took away a great deal of work from the Bar, and this measure would take away still more. There was another point, with regard to which his hon. Friend over the way might be inclined to agree with him. He had always felt it to be a defect in the law that in every case the round sum given in a judgment should of necessity carry costs. The juries were bound to give a verdict for an amount "not exceeding" a certain sum—should a verdict for the sum not to be exceeded always carry costs?

MR. DODDS pointed out that the suggestion made by the hon. and learned Member for Bridport (Mr. Warton) was one for consideration in Committee, and he hoped the House would be free to read the Bill a second time.

MR. GIBSON said, he did not know much about this Bill; but it purported to deal with County Court jurisdiction in England, which was a subject of immense importance. He would, therefore, like to know whether the measure had the support of the Government, for the House was entitled to know whether those who were responsible for the legal administration of the country had considered the Bill and approved of it. He thought it only reasonable that the second reading should be postponed until the House could be informed upon that point.

MR. WHITLEY said, he hoped the measure would not be pressed to a second reading.

Mr. H. H. FOWLER said, he did not wish to press the matter beyond the wish of the House; but he thought this discussion should take place on the Question that the Speaker do leave the Chair. The principle of the Bill had been approved again and again, both by the Government and by hon. Members who were supporters of the late Government. The Bill would not destroy the right to have cases tried in a Superior Court; but it provided that where a certain case was taken into a Superior Court the plaintiff should not obtain his costs. He knew the difficulty of making progress with Bills of this kind at this season of the year; and, therefore, if hon. Members would allow the second reading to be taken, he would undertake that there should be ample opportunity for discussion, if discussion was required.

Mr. GIBSON said, he was most unwilling not to accede to the Motion of the hon. Member; but he must say he thought that, under the circumstances, the House should adjourn the consideration of the subject.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Sir Henry Fletcher.*)

Mr. H. H. FOWLER said, there should be an understanding that there should be no block put against the Bill.

Motion *agreed to.*

Debate *adjourned* till *Thursday.*

COUNTY COURTS (IRELAND) BILL.

(*Mr. Findlater, Mr. Givan, Mr. Patrick Smyth, Mr. Thomas Dickson.*)

[BILL 18.] COMMITTEE.

Order for Committee read.

Ordered, That it be an Instruction to the Committee that they have power to make provision for the extension of the Equity jurisdiction of the Courts.—(*Mr. Findlater.*)

Bill *considered* in Committee; Committee report Progress; to sit again upon *Thursday.*

House adjourned at a quarter after Two o'clock.

HOUSE OF LORDS,

Tuesday, 16*th May,* 1882.

MINUTES.]—Select Committee—Law relating to the Protection of Young Girls, *nominated.*

Public Bills—*First Reading*—Inclosure (Arkleside) Provisional Order* (92); Inclosure (Bettws Disserth) Provisional Order* (93); Inclosure (Cefn Drawen) Provisional Order* (94); Local Government (Ireland) Provisional Order* (95); Gas Provisional Orders* (96); Water Provisional Orders* (97).

Second Reading—Imprisonment for Contumacy (91); Documentary Evidence (87); Military Manœuvres* (86); Municipal Corporations (Unreformed) (79).

Committee—Report—Payment of Wages in Public Houses Prohibition* (41).

Third Reading—Consolidated Fund (No. 3), and *passed.*

IMPRISONMENT FOR CONTUMACY BILL.—(No. 91.)

(*The Lord Archbishop of Canterbury.*)

SECOND READING.

Order of the Day for the Second Reading read.

The Archbishop of CANTERBURY, in rising to move that the Bill be now read a second time, said, he would briefly state why it now became his duty to bring such a Bill before their Lordships. The continued imprisonment of a clergyman, whose incarceration had, last Session, been under consideration in that House, had seemed to him so important a matter that he had again, within the last few weeks, thought it his duty to call together the Bishops of both Provinces in order to request their advice. They were assisted by his most rev. Brother (the Archbishop of York), to whose Province the clergyman in question belonged, and who advised them to confine their attention to the one point which pressed at the time, and not to attempt at present to legislate upon the wider questions of ecclesiastical jurisdiction with which the case was involved. That advice had been followed in the Bill, the measure dealing only with the case of the Rev. Mr. Green, and, of course, with any other cases that might arise of a similar character. If it was reckoned a hardship that a clergyman of unblemished personal character had been confined to a common prison for several months last year, it had become a much more serious matter when that imprisonment had been continued for nine months longer, and when there seemed to be a prospect of its being continued indefinitely. It would not be supposed that he was urging that any person, however conscientious his motive, was entitled to set the law at defiance; and the unfortunate fact that the rev. gentleman in question chose to set himself above the law was much deplored by the Bishops. It was true that the imprisonment was not, in the present case, a punishment for an ecclesiastical offence; it was for resisting legal authority; but even the offence of resisting legal authority, at the prompting of a wrong-headed and ill-informed conscience, might be visited by too severe a penalty; and it had appeared to the Bishops that, whether imprisonment be or be not a proper mode of visiting such contumacy, the clergyman in question had had more than enough of it, and none of them wished to see his imprisonment continued. It was admitted that there was no ground for any complaint against Mr. Green in respect of his discharge of the ordinary duties of a clergyman, and that his contumacy arose entirely from so-called conscientious conviction. That, however, was no good reason for disobedience to the law. In the case of Thorogood, who was imprisoned for refusing to pay church rates, a Bill was carried which had the effect of terminating imprisonment for that offence. This case was not exactly parallel; but, still, the Bishops thought themselves called upon to consider whether it was not possible, consistently with a due regard to the maintenance of the law in future, to take some steps whereby such imprisonment should be put an end to. Unfortunately, this was not the first case of imprisonment for contumacy. Some years ago a clergyman named Tooth was imprisoned for a not dissimilar offence; and he, like Mr. Green, pleaded conscientious conviction; but in the case of Mr. Tooth the prosecutors felt themselves at liberty to make a representation on his behalf to the Judge, and he was accordingly discharged. In the case of Mr. Green the prosecutors considered, for whatever reason, that they could not request the Judge to reconsider the question. It was therefore suggested by the Archbishop of York that someone else besides the prosecutors should be entitled to bring the matter before the Judge. It had been suggested by some authorities that, even under the present law, there existed on the part of the Bishop of the diocese a power to intervene; but, to say the least, the existence of such a power was very doubtful, and they were, therefore, advised to bring in a Bill to enable the Archbishop of the Province, as a person who was responsible for the maintenance of ecclesiastical discipline, to apply to the Judge to review the circumstances of the case, and consider whether the imprisoned offender should be released. As a Royal Commission was at present sitting to consider the intricate questions which clustered around the administration of the law in these Courts, it was thought it would be improper to propose any change which would appear like dictation to that Commission; and, therefore, the Bishops confined themselves to the small point to which this Bill referred. They considered that imprisonment for contumacy in matters ecclesiastical was never contemplated when Parliament passed the Public Worship Regulation Act. The penalty then provided was deprivation after three years; and he would undertake to say that none of their Lordships had any idea at that time that the passing of the Act would ever result in the incarceration of a clergyman. There had been a resuscitation, on the part of the prosecutors, of a particular clause of a section in an Act of George III.; and it was only called into operation because of the obstinacy of those who refused to obey the order of the Court. Considering what was the intention of those who proposed and of those who supported the Public Worship Regulation Act, it was much to be deplored that consequences such as those which had fallen on these clergymen should have resulted even indirectly from it. The promoters of the present Bill had adopted the suggestion that it should only enact a course of procedure for the next two, or perhaps three, years. Their hope was that by that time the whole of this complicated subject would have been thoroughly considered by the Commission which was now sitting, and that some legislation would have followed on the recommendations of that Commission. He thought he had now explained to their Lordships the simple nature of the Bill. It had the concurrence of the Bishops of both Provinces; it was introduced, as far as a Bill could be introduced in that House, by the Heads of the two Provinces; and he trusted their Lordships would not see in the adoption of it any violation of such rules as were consistent with the good government of the Church. The most rev. Prelate concluded by moving the second reading of the Bill.

Moved, "That the Bill be now read 2ª."—(*The Lord Archbishop of Canterbury.*)

LORD ORANMORE AND BROWNE, in moving, as an Amendment, that the Bill be read a second time that day six months, said, that he was opposed to this measure. The most rev. Prelate had told their Lordships that imprisonment was not contemplated by those who passed the Act of 1874; but the fact was it was not contemplated that clergymen would set their faces against the law, or, if that had been so, those who passed that Act would not have given clergymen three years' time in which to change the practices which they adopted. The most rev. Prelate had said that no ill had accrued from the release of Mr. Tooth; but he seemed to forget that the new practices in the Church of England had largely extended, and in more than 1,000 churches there were, on the anniversary of Mr. Green's imprisonment, prayers for him as a martyr.

THE EARL OF LIMERICK: Hear, hear!

LORD ORANMORE AND BROWNE: The noble Earl belonged to a Society the Chairman of which stated, when the practices complained of were introduced, that as soon as the law was ascertained they would abide by it. When, however, after a long and costly litigation, the law had been ascertained, they treated it with the most utter contempt. Mr. Green was in the same position which any other person, whether lay or clerical, would occupy if he treated the process of a Court of Law with contempt. If imprisonment were to cease for this offence, what punishment was to be resorted to? How were the decrees of the Courts to be carried out? Were clergymen to do just what they liked, each according to his conscience, without any regard to the law? That doctrine, he contended, was most unsound. There was no Irish proprietor at the present moment who, in his conscience, did not believe that he had been treated with the grossest injustice. If Irish proprietors acted according to their conscience, they would not submit to the law; but they were obliged to do so. Mr. Green had a very easy way of getting out of prison. If he would give up the emoluments which he obtained on the conditions on which every clergyman held his position, he might do what he liked according to his conscience. In his opinion, Mr. Green was a wrong-headed man; and, without any wish to detain him in prison, he thought that, while he refused to obey the law, he ought to suffer the penalty. The Bishop of the diocese did not permit the proceedings to be taken against Mr. Green until he had been contumacious for some years, and had refused to regulate his Church Services according to the law of the land. That was the course Mr. Green would continue to pursue if he were let out of prison. Should this gentleman be released in order that he might carry on his illegal practices? He did not think the Church of England was a Congregational Church; and, therefore, they could not have Services in each church according to the wishes of the congregation. It had been stated by the Bishop of Manchester, in a speech delivered in Convocation, that formerly Mr. Green had a congregation of parishioners who were driven away by his teaching, and that now he had another congregation of an entirely different kind, who were not parishioners. One objection he had to the present Bill was that it left the matter in the hands of the Archbishop and Judges, and ignored the parishioners altogether. He hoped that no mawkish feeling would be allowed to interfere with what was proper in this matter, and that their Lordships would say that clergymen should not be more free than laymen to disobey the law. As to Mr. Green's alleged martyrdom, he was informed that his room was luxuriously furnished and his food supplied from the best hotel in Lancaster, while the prison was situated in a most healthy position, with a lovely view, and his friends had free access to visit him. In conclusion, the noble Lord moved that the Bill be read a second time on that day six months.

Amendment *moved* to leave out ("now") and add at the end of the motion ("this day six months").—(*The Lord Oranmore and Browne.*)

THE ARCHBISHOP OF YORK said, he did not know what Lancaster Gaol had to do with the subject. But there was a strong prejudice against the imprisonment of a clergyman, both among the clergy themselves and a good many of the laity, more especially in a case like Mr. Green's. He was not there to defend Mr. Green, and whenever he had had occasion to speak of him he had not praised him. But he and his brother Bishops had been trying to devise means by which to extricate an obstinate clergyman from an unfortunate position. They had looked to the Government. The Government had taken the opinion of the Law Officers of the Crown, and were advised that the clemency of the Crown could not be exercised in the case. The Bishops did not in the least desire to interfere with the course of justice, though they would be glad to see the clergyman in question released. It was well known that the sentence of deprivation would soon come into force, and people comforted themselves with the notion that when that period arrived Mr. Green would be set at liberty. But that was not the case; and it would still be necessary to devise a means for his release. The sentence did not work itself out in that way. He quite admitted that the power they asked for in the Bill was exceptional; but the case was exceptional of a clergyman seeking a kind of spiritual martyrdom; and he hoped their Lordships would assent to the measure as one that was calculated to meet the difficulty which had arisen.

EARL CAIRNS said, he thoroughly sympathized with the most rev. Prelate in that particular case. While, however, he recognized that the difficulty which had arisen called for some action on the part of the Legislature, he did not see why, instead of bringing forward a Bill of this exceptional nature, the right rev. Prelates had not rather sought for a remedy in the clauses of the more general measure which last year received the general assent of their Lordships' House, and which apparently only the state of Business prevented passing through the other House. By that measure it was provided that any person committed for contempt should be discharged from custody at the end of six months, subject to the penalty of perpetual deprivation in the event of his remaining contumacious after his release. By the enactment of the provisions of that Bill the difficulty would be got rid of, without exposing the right rev. Prelates to the odium which might attach to the exercise of the power now sought to be conferred upon them—a sort of dispensing power enabling them to measure out such punishment as they might think fit.

THE LORD CHANCELLOR said, he agreed with what had fallen from his noble and learned Friend with respect to the noble Earl's (Earl Beauchamp's) Bill of last year; but he did not think he was inconsistent in supporting the present Bill. All that it would do was, when an imprisonment had been for some time continued, to give the Archbishop of the Province, as well as the promoter of the suit, a right to apply to the proper Court; and it would be for the Judge of that Court then to release the prisoner, or not, as he might think right, after hearing whatever the promoter might desire to say to the contrary. This was not a very great power to give to the Archbishop. He would remind their Lordships that as this measure was to be of a very temporary character, being limited to a duration of three years, it would, in substance, only apply to a single case which was not likely to occur again. He thought, too, that if the Bill were to pass exactly the same result would follow as would have been produced if the Bill of last year had been in force. Mr. Green had been inhibited under the Act, which was miscalled the Public Worship Regulation Act, from performing the offices of the Church in the Diocese of Manchester, and perhaps also in the Province of York. Three years after the date of the inhibition he would *ipso facto* be deprived. The inhibition was on the 16th of August, 1879, and the three years would expire on the 16th of August, 1882. If, therefore, the Bill became law, the interval between its passing and the 16th of August, if there was any interval at all, would be a very short one. There was only one other case to which the Bill, if it became law, might possibly apply, if proceedings for the imprisonment of the offending clergymen were taken in it, which had not yet been, and probably never would be, done. That case had been recently before their Lordships' House, on certain technical objections to the validity of the proceedings, which, if they were to prevail, would put an end to the inhibition which had been issued in it; but, if they did not prevail, and if the inhibition were still disobeyed, the time for deprivation, fixed by the Act of 1874, would, in that case also, soon run out. He looked upon the present Bill as being the same in principle as the Bill of last year, and he thought their Lordships would do wisely to pass it, since it came to them recommended by the right rev. Bench, which would be certain to give satisfaction to a great number of the clergy. They all felt that the punishment of imprisonment for these offences ought not to be too long extended, because it certainly resulted in considerable scandal to the Church, which it was most desirable they should put an end to, and therefore he advised their Lordships not to be too critical upon the Bill, but to accept it; or, at all events, to give it a second reading. He would not undertake to say which did the most harm, the disobedience of contumacious clergymen, or their imprisonment; but the effect of both together was certainly most disadvantageous to the interests of religion and the Church.

THE MARQUESS OF SALISBURY said, he thought it was a sufficient scandal in itself that under the existing law it should be possible for a clergyman, for doing that which was not in itself a criminal offence, but had only become so incidentally from falling within the definition of contempt of Court, should be exposed to a punishment that might, in its extent, be worse than was inflicted even for the most serious and abominable offence. He felt so strongly the scandal this case had caused, and the injury it was doing to the Church, that he would be prepared to accept a very inferior remedy, if it were the only remedy possible, rather than that the evil should go on. The point of the present discussion seemed to be as to whether the Bill or the measure of last year furnished the better machinery for attaining the end which all agreed was in the highest degree desirable. The noble and learned Lord on the Woolsack seemed to argue that there was no probability of this Bill being applied to anybody except Mr. Green, and to suggest that their Lordships had better not be too critical, but pass the measure. That was not quite a safe way of arguing with respect to a measure which was entirely novel in its principle. It was true that this was a temporary Bill, which expired in 1885; but, like other temporary Bills, it might be renewed from time to time as occasion arose, so as, practically, to become permanent. The evil of allowing this plan—of allowing the Archbishop to decide whether the imprisonment was to be permanent or not—was twofold. It was objectionable with respect to procedure, and also with respect to substance. With regard to procedure, the matter would be attended with greater prejudice in "another place," where Bishops were not so popular as they were in their Lordships' House; and the fact of this plan being recommended from the Episcopal Bench, and placing a power entirely new in the hands of the Archbishops, although it might be a recommendation to their Lordships, might, in the other House, be a very strong argument against the Bill; and, although it might not be rejected, there would be a long discussion, which would be as fatal to it as a division. But there was a still more serious objection in regard to substance. The most rev. Prelate on whom it was proposed, in the first instance, to confer the power was known and could be thoroughly trusted; but their Lordships were bound to contemplate the possibility of this power being exercised by some Archbishop whose qualities for its exercise might not be quite so apparent, and who, perhaps, might not think it necessary to take any steps for releasing clergymen imprisoned for such offences at all.

THE BISHOP OF LONDON remarked that there were always the prosecutors.

THE MARQUESS OF SALISBURY said, their Lordships knew what prosecutors were. The position of the Archbishop under the Bill was that if he refused to assent to the release of the clergyman he would, in fact, become his gaoler. The effect would be to bring into an invidious position the highest dignitary in the Church. It appeared to him that the proposal in the Bill of last year was preferable to the present one, for by that Bill, when the imprisonment had lasted for six months, the clergyman was free. He did not think that any case had been made out for introducing a principle, the like of which had not been applied, he believed, to the English Church since the days of Archbishop Laud. Although he would much rather that this Bill should pass than none at all, because the scandal referred to ought to be put an end to, still he thought that legislation on this subject should be such as would be more in harmony with the general law than were the principles of the present measure.

The Bishop of LONDON said, that the reason for making this Bill a temporary one was because a Royal Commission was inquiring into the subject; and, doubtless, they would propose that considerable changes should be made in the general law relating to the question.

On question that ("now") stand part of the motion, *resolved* in the *affirmative.*

Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

DOCUMENTARY EVIDENCE BILL.

(*The Lord Thurlow.*)

(NO. 87.) SECOND READING.

Order of the Day for the Second Reading read.

Lord THURLOW, in moving that the Bill be now read a second time, said, that it was brought in in accordance with the recommendations of the Select Joint Committee of both Houses, which sat last year on the Stationery Office, and which had since been confirmed by Resolutions of both Houses of Parliament. In order to secure some guarantee for the genuineness of documents to be produced in Courts of Justice, the law, in several instances, had defined by whom such documents were to be printed. But in the Acts containing these definitions, which were passed at different times, there were variations of wording which might open the door to considerable inconvenience. In some the "Government printer" was mentioned; in others the "Queen's printer," or "the printer to Her Majesty," and there were several other varieties. The present Bill was intended to remove these inconsistencies and doubts, and to make admissible in Courts of Law all documents purporting to be printed under the authority of the Stationery Office, which was the Department now held responsible under the Treasury for Government printing. The Bill contained suitable penalties for forgery—that was to say, in cases of documents falsely purporting to be printed under the constituted authority. It had been passed by the other House of Parliament, and he now asked their Lordships to give it a second reading.

Moved, "That the Bill be now read 2ª."—(*The Lord Thurlow.*)

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

MUNICIPAL CORPORATIONS (UNREFORMED) BILL.—(No. 79.)

(*The Earl of Rosebery.*)

SECOND READING.

Order of the Day for the Second Reading read.

The Earl of ROSEBERY, in moving that the Bill be now read a second time, said, he did not think he need detain their Lordships long. It had fallen to the lot of a Liberal Government to propose the Bill; but it was really intended to carry into effect the recommendations of the Royal Commission which was appointed during the term of Office of the late Government. It appeared from the evidence that had been taken before that Commission that there were originally 284 Municipal Corporations in this country, and that the Act of 1835 had dealt with 178 of them. Others had come under the operation of subsequent Acts, and there now remained 76 which had not been touched in any way. The Commission, after collecting a mass of evidence on the subject, had come to the conclusion that great changes in these bodies ought to be effected. The members of these ancient boroughs held their offices under various titles; sometimes they were bailees, sometimes they were mayors, sometimes portreeves; but in nearly all cases they were men of a low class, regarded as magistrates, having the cognizance of crimes in their districts. It was true that these ancient boroughs were very picturesque both in their origin and their nature, and their officials presented a very curious appearance, and their customs were more or less strange; but they were the occasion of certain evils that ought to be put an end to. In one case, where the population of the borough was some 7,000, the mayor or portreeve was nominated by a Member of their Lordships' House, while in others there was no property whatever belonging to the Corporation, who possessed no privileges, and who had no duties to perform. Another interesting fact connected with these bodies was that they had occasionally been in the habit of depositing both their maces and their consciences in the keeping of some neighbouring potentate, who exercised their powers in their names, and who in return expended a certain sum per annum in providing dinners for them. Besides mere quaint anomalies there were serious inconveniences arising from the position of these boroughs, and especially from the possession of the powers of licensing magistrates by councillors who were persons of a low class. In one borough which was unable to deal with its own drunkenness, the habit was to push drunken men across the borough boundaries, so that they might be dealt with by the county police. In other boroughs the Corporation property was either squandered or was mismanaged. The Bill divided the boroughs dealt with into two classes. The first contained those which still had some elements of vitality, and some recuperative power, and which might be placed under the Municipal Corporations Act. As to the remainder, the Report of the Commission showed that they were no longer entitled to retain municipal functions; and they would, therefore, be deprived of them on the 1st of January, 1883, and the administration of their funds would be placed under the Charity Commission. In the first class municipal functions would be suspended on the 1st of January, 1883; and, as soon as possible, inquiries would be made as to the expediency of future incorporation. By the end of 1885 all the places that had not received Charters of incorporation would cease to be corporate boroughs. Power was given to the Local Government Board to supervise the management of these places during the period of transition. The measure was not a very large one; but as it would remove a considerable anomaly he trusted their Lordships would give it a second reading.

Moved, "That the Bill be now read 2ª."—(*The Earl of Rosebery.*)

THE EARL OF POWIS said, that inconvenience would result from the proposed manner of effecting the change in the cases of the boroughs to be afterwards incorporated. If their Corporations were dissolved, and they were afterwards incorporated, town clerks and coroners would be entitled to compensation, and then the same or fresh officers would have to be elected to discharge the duties. Further, it would create unnecessary confusion if the inhabitants were sent to the County Petty Sessions for a short time, and then brought back to a new municipal jurisdiction. The County Justices Clerks would claim increased salaries, which would not easily be reduced again. It would be better that things should be allowed to remain as they were until the question of future incorporation had been determined.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

SALVATION ARMY.

MOTION FOR AN ADDRESS.

EARL FORTESCUE, in rising to call attention to the treatment of the Salvation Army in different parts of the country, and to move for—

> "A Copy of any authentic report that may exist of the proceedings in the case of the Queen against the Justices of the county of Southampton in the Court of Queen's Bench,"

said, he regretted much the delay in bringing forward the question of which he had given Notice before the Easter Recess; but every postponement had been made at the reasonable request of some noble Lord. He had learnt that the remarkable body called the Salvation Army originated more than 12 years ago, though it had only of late attained its present daily-increasing development. It had more than 300 corps in the United Kingdom, and supported some 650 missionaries called officers and cadets. On Sunday, April 30, more than 22,000 attended its morning services at 7, and more than 50,000 marched in its processions. More than 5,000 attended its weekday services. The Army had now invaded France, and had its head-quarters at Paris; and numerous French papers had noticed, several of them with sympathy, the proceedings of the *Armée du Salut.* One of them even warmly welcomed the Army's French paper, called *En Avant.* The English paper, *The War Cry*, quite ignoring all secular matters, already, it was said, reached a circulation of 300,000 a-week. The local contributions to it were estimated at £57,000 a-year, besides £18,000, daily increasing, secured for building a congress hall, &c., as certified by chartered accountants and solicitors in the City, who also testified that General Booth, its head, had never touched any of the Army money, except for strictly Army purposes. Till quite lately the newspapers had constantly reported disorders and outrages in different parts of the country, East, West, North, and South, in connection with the Salvation Army, in some few instances members of it being convicted of obstructing some highway by processions, or halts for singing and prayer, or of disobeying some prohibition of their proceedings by the local authorities; but never of violence, even towards their ruffianly assailants, much less towards the police. Almost invariably they were complainants of having been insulted, assaulted, and sometimes seriously injured or put in peril, without provocation. At Chester, for instance, Miss Falconbridge was stunned by a stone; near Crediton, some of the Army were attacked in their carriage, beaten, and put in great danger by having had their reins cut and one of their wheels loosened by some of the Skeleton Army, as it was called, which seemed everywhere to be composed of the worst roughs in the place. Of course, there was in the Salvation Army that mixture of good and evil, of wheat and tares, to be found in everything human; but there could be no reasonable doubt that the immense majority of the Army believed themselves to be engaged in a holy work; and when numbers of old and young of both sexes were found publicly declaring that, whereas before joining the Army they had been living most shameful and wicked lives, but had since been enabled, for so many years, months, or weeks, to lead new and better lives, and finding a peace and comfort in so doing, previously unknown, meant to persevere, he could not but feel thankful that even if, in some cases, only for a while, so many should have been cheered, purified, and elevated, who had before been lying hopeless, foul, and helpless in their degradation. Such being the Salvation Army, with nothing apparently very ephemeral in its character, its treatment by the different local authorities became important from the large numbers and vast extent of country affected by it, quite apart from the question of the individual rights of law-abiding Englishmen, justly dear to a nation long accustomed to orderly liberty, and apart from the question, also, of the bearing upon the national character of any toleration of ruffianism in connection with that Army. It was not his object to find fault with any of the authorities, Metropolitan or Provincial, much less with the Government, for their treatment of the Salvation Army. He did not know enough about it to venture to do so; but from what he had gathered from a cursory view of the cases reported in the papers, he was inclined to doubt whether, on the one hand, the authorities had always sufficiently borne in mind the legal difference between the case of a man, by some lawful action, giving an opportunity to others of committing an unlawful act, and that of a man causing another to perform some unlawful act; and, on the other hand, whether the members of the Salvation Army had borne sufficiently in mind St. Paul's declaration that all things which were lawful were not necessarily expedient; and the lesson taught by his earnest anxiety that he should not, by any liberty of his own, lead weaker brethren to stumble. In conclusion, he would, with their Lordships' permission, state from a memorandum received from one of the Army the views taken by them of their legal rights, and of their cruel wrongs. Many of these wrongs, they stated, proceeded from the spirit of ruffianism now so rife, which, whenever unchecked, had shown itself in violence done to others besides the Salvation Army, as, to take an instance out of many, in the attack upon the Bishop of Exeter's Temperance Meeting. Instances of this spirit had, he would observe, been seen quite recently in England, Wales, and Scotland, to say nothing now of Ireland, as the proceedings at Camborne, in Cornwall, and at Wrexham, in Kent, and in the Isle of Skye proved. They stated that, where the authorities had shown themselves determined to put down disorder and protect the Salvation Army, they had always succeeded in doing so; but that, when the authorities had shown themselves unfavourable to the Army, and had prohibited its processions, these outrages had almost always occurred. The Army was determined to carry on its proceedings resolutely, but without violence, in spite of the outrages of the lawless and the proclamations of the authorities. It hoped to receive the protection to which it had a right; but, whether that was given or refused, it would persevere in its work. Such were the views and declarations of these well-meaning and harmless, if somewhat wild and eccentric, tens of thousands of their fellow-citizens. He would now, with many thanks for their kind indulgence, conclude with the Motion standing in his name.

Moved, That an humble Address be presented to Her Majesty for, Copy of any authentic report that may exist of the proceedings in the case of the Queen against the Justices of the county of Southampton in the Court of Queen's Bench.—(*The Earl Fortescue.*)

LORD COLERIDGE said, that he was not aware what line his noble Friend would take on the subject before their Lordships, or of the particular instances which he would bring forward. He (Lord Coleridge) spoke in that House under considerable restraint, because it might be his duty to sit elsewhere in judgment upon a case connected with the Salvation Army, and he should be sorry to say a word which might prejudice a case which might come before him. He had only heard one side of the case now before the Queen's Bench—namely, that on behalf of the Salvation Army. Only one of the magistrates in that case had made a statement with regard to it. He had known that gentleman from his youth, and he knew that he was a man of the highest character, who was absolutely incapable of doing anything intentionally unjust. If, therefore, he and his colleagues had erred, he (Lord Coleridge) felt sure that it was the result simply of a mistake in their judgment. The two conflicting rights which magistrates had to consider must be regarded. He took it that every Englishman had an absolute and unqualified right to go about his business and perform legal acts with the protection of the law; and he apprehended that walking through the streets in order and in procession, even if accompanied by music and the singing of hymns, was an absolutely lawful act, an act in the doing of which every subject had a right to be protected. On the other hand, there was hardly any act which could not be so done as to become a nuisance to the public peace; and the circumstances were such at times as to compel the local authorities to determine that such acts, though lawful in themselves, should not be done, because the public peace was thereby endangered. In such a case, the duty of the magistrates was equally clear. Their first duty was to preserve the peace, and to take care that there was no disturbance of any kind. Those conflicting rights might give rise to extremely delicate questions; but he felt sure that where the magistrates insisted on law and authority being respected there was little danger of the peace being disturbed. Their Lordships would understand his reason for abstaining from giving an opinion on the case to which the noble Earl had referred; but he might say that the "hard labour" did seem to him to be an unfortunate part of the sentence, very different to account for or to justify. As to the question whether or not the procession ought to have been stopped in that particular case, of course he was unable then to give an answer.

LORD MOUNT TEMPLE said, that, looking to the disposition abroad to lawlessness and violence, the impunity of outrage on the Salvation Army might establish an evil precedent for other cases more generally approved. The peculiarity in this case was that the struggle was between physical force and moral force; between arbitrary, violent tyranny and patient endurance. The object of this "Army" was simple, honest, and praiseworthy. They persuaded working classes to give up intemperance and vice, and to lead self-denying, religious lives. To gain attention they marched in procession, and sang hymns in thoroughfares. They required from their members a pledge of abstinence from beer, spirits, and tobacco. This had been injurious to the business of the licensed victuallers, and their adherents mobbed them, hurled stones, and struck blows; and met with passive perseverance, without even irritating words. In some places this cruel violence was easily stopped; in others the authorities would not afford protection. The influence of the publicans' interest was already powerful. If they acquired a new power of putting down by violence any moral demonstration against the liquor traffic, what security had we that they would use their power with moderation? Those who worked by appeals to conscience to raise men out of vice ought to receive protection from the savage violence of rioters.

The Archbishop of CANTERBURY felt that he ought not to allow this subject to pass without remark. His noble Friend (Earl Fortescue) had mentioned that the Lower House of Convocation had addressed the Upper House on this subject, and had asked that it should be considered. Accordingly the Bishops had appointed a Committee of their own Body for that purpose. Some difficulty had doubtless arisen in reference to this subject, in consequence of the members of the Salvation Army acting in a way which was not customary among religious bodies, and many good people were shocked by what they regarded as a want of reverence on the part of the "Army." But it had been well remarked that, perhaps, their peculiar mode of proceeding was such as might have considerable influence over uncultivated minds; and, looking to the fact that there was in this country a vast mass of persons who were not at present reached by the more regular ministrations of the Church, it was not unlikely that much good might eventually result from the more irregular action of the Salvationists. He had been informed that the leaders of the movement were persons of unimpeachable character, and that they were most desirous of checking the extravagances of many of their followers, and that there had been much misrepresentation spread abroad with regard to them. He trusted, therefore, that any movement of this kind, provided it were carried on with decency and propriety, would be encouraged, and that it would be able usefully to supplement the efforts of the regular clergy in affording spiritual aid to the great mass of the population.

Lord WAVENEY said, that, speaking from his own personal experience, he could testify that the action of the Salvation Army was not such as to call for the interference of the authorities, as had been recently shown at Ballymena, County Antrim, Ireland. He believed if proper protection were afforded to these persons there would be no breach of the law arising out of their proceedings.

The Earl of ROSEBERY said, their Lordships would quite understand the difficulty which a Member of the Government found himself in, in having to take part in such a discussion as this. The noble Earl (Earl Fortescue) had given their Lordships a full description of the Salvation Army. Even if he had any personal views on the subject, it would not be right for him to state them upon that occasion; and, on the part of the Government, he could only deal with the Motion as it stood upon the Paper. The noble Earl had moved for a Return of certain Papers which were at present in the Crown Office. He could assure the noble Earl, in the first place, that the Secretary of State had no information with regard to what had taken place before the Lord Chief Justice than what was to be derived from the newspapers, and no official documents whatever were in existence in connection with that case other than the affidavits which had been filed, and the rule requiring the Justices to state a case for the consideration of the Court. It was not customary for such documents to be laid upon the Table of the House, and he could not consent to produce them at the present stage. The object of the noble Earl, however, had doubtless been fully satisfied by the very interesting discussion to which his Motion had given rise. As to the views of the Home Secretary, they had been stated by the Home Secretary in a letter which was in the hands of their Lordships, and which was addressed, on the 1st April, 1881, to the magistrates of Basingstoke. That letter had been so often printed that he did not think it necessary to repeat it now. The matter was still *sub judice*, and he did not know whether, when the decision was given, it would be necessary for the Secretary of State to add anything to the letter which he had referred to; but it was clear that he could make no further statement on that subject now.

Motion (by leave of the House) *withdrawn.*

IRELAND — ASSASSINATION OF MR. BURKE, THE LATE UNDER SECRETARY—PENSION TO MISS BURKE.

QUESTION. OBSERVATIONS.

Lord ORANMORE and BROWNE said, he rose to ask whether it was the intention of Her Majesty's Government to grant a suitable pension to Miss Burke, sister of the late Under Secretary to the Lord Lieutenant, in recognition of Mr. Burke's long and faithful service in the difficult and dangerous position he held, and of his having lost his life in the service of his country? He did not ask the Question in consequence of having had any communication with any member of the family. This was a case in which Her Majesty's Government would recognize the truth of the adage that those gave twice who gave quickly; and a suitable provision for Miss Burke would be at once an expression of deep sympathy with her in the circumstances in which she was placed, and a tribute to the real worth of her unfortunate brother.

EARL GRANVILLE: My Lords, I am happy to be in a position to answer the Question of the noble Lord. It is with great satisfaction I have to inform your Lordships that Her Majesty has been advised by the Prime Minister to grant a pension of £400 a-year to Miss Burke, in recognition of the services of her unfortunate brother.

LAW RELATING TO THE PROTECTION OF YOUNG GIRLS.

Select Committee on: The Lords following were named of the Committee:—

M. Salisbury.
E. Shaftesbury.
E. Mount Edgcumbe.
E. Belmore.
E. Cairns.
L. Bp. London.
L. Braye.
L. Leigh.
L. Ramsay.
L. Tollemache.
L. Norton.
L. Mount-Temple.

The Committee to meet on *Monday* next at Twelve o'clock, and to appoint their own Chairman.

House adjourned at Seven o'clock, till To-morrow, Eleven o'clock.

HOUSE OF COMMONS,

Tuesday, 16*th May*, 1882.

The House met at Two of the clock.

MINUTES.] — PUBLIC BILLS—*Ordered—First Reading*—Land Drainage Provisional Order * [164]; Local Government (Ireland) Provisional Orders (No. 2) * [165].

Second Reading—Local Government Provisional Orders (No. 3) * [152]; Pier and Harbour Provisional Orders (No. 2) * [150]; Tramways Provisional Orders (No. 2) * [149]; Tramways Provisional Orders (No. 3) * [151].

QUESTIONS.

IMPERIAL TAXATION—LOCAL REVENUE AND EXPENDITURE—MINISTERIAL STATEMENT.

MR. PELL asked the President of the Local Government Board, Whether, as the promise of an important readjustment of local finance cannot now be realized, a Ministerial statement of local revenue and expenditure will be made at the next stage of the Customs and Inland Revenue Bill, so as to complete the information necessary for a review of the entire taxation of the Country?

MR. DODSON: Sir, last year, in answer to a Question resembling this one, the Prime Minister said that the Annual Statement with regard to Local Finance could not be conveniently made in connection with the Customs and Inland Revenue Bill, as it would lead to a confusion of matters which, in a Parliamentary sense, are quite distinct. That answer is equally applicable now; but, should a favourable opportunity present itself during the Session, I shall be happy to make a statement on the subject to which the hon. Member's Question refers.

MR. PELL gave Notice that, in consequence of that answer of the right hon. Gentleman, he should, on going into Committee on the Customs and Inland Revenue Bill, move that the House should not resolve itself into Committee on the Bill until authentic information respecting Local Revenue should be afforded to the House by means of a Ministerial Statement.

PEACE PRESERVATION (IRELAND) ACT 1881—GUN LICENCES, CO. WICKLOW.

MR. W. J. CORBET asked Mr. Attorney General for Ireland, If it is true that Mr. Newton, J.P. Zinahely, county Wicklow, on being applied to by Mr. Moses Doyle, of Aughrim, to sign the form of application for a gun licence, took the form and refused to give it back, so that Mr. Doyle could not apply to other local magistrates to sign it; whether Mr. Doyle, on applying to the petty sessions clerk for a fresh form, was refused, by direction of Mr. Newton; whether any outrage with firearms has been committed in the county of Wicklow during the whole land agitation; whether there is any ground for refusing Mr. Doyle a gun to protect his crops from rooks, there being a rookery adjoining his farm; and, whether he will take any steps in the matter?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Sir, in reply to the first, second, and fifth part of the Questions of the hon. Member, there seems to have been some misconception about Mr. Doyle's application, and I will take on myself to direct that a fresh form of application for a certificate shall be issued to him. In reply to the third part, no outrage with firearms has been committed hitherto in the County Wicklow. In reference to the fourth part, this is entirely a matter for the magistrates and licensing officer, with whose jurisdiction and discretion I cannot interfere.

LAND LAW (IRELAND) ACT, 1881—THE SUB-COMMISSIONERS' COURT IN WICKLOW.

MR. W. J. CORBET asked Mr. Attorney General for Ireland, Whether any steps can be taken to avoid the great inconvenience and expense that will be caused to applicants under the Land Act by the removal of the Sub-Commissioners' Court from Tinahely to Wicklow and Carlow; and, whether, to save the small farmers from the expense consequent on having to take their witnesses so far away from home, arrangements could be made for the Sub-Commissioners to hold their Court in Tinahely as before?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Sir, the times and places of the several sittings of the Sub-Commissioners are advertised extensively through Ireland, and at foot of the advertisement is stated—

> "Each Court will hear applications on the first day of their sitting as to the hearing of the cases in the list at other towns within the Unions than the town above-mentioned, to suit the convenience of parties."

Every farmer concerned, therefore, has notice that he can apply on the first day of the sitting of the Sub-Commission to have his case heard at such other town in the Union as may be convenient.

LAW AND JUSTICE (IRELAND)—THE BELFAST MAGISTRACY.

MR. BIGGAR asked Mr. Attorney General for Ireland, Whether, since the unpaid magistrates of Belfast are merchants and dealers in Belfast, and that they administer Law between employers and employed, the Government intend to appoint stipendiary magistrates in room of Captain Lloyd and Captain Plunkett, who have been removed to the south of Ireland?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Sir, Messrs. Lloyd and Plunkett, the Resident Magistrates whose station is Belfast, are at present employed on temporary duty elsewhere; but if, before they return to their station, it shall be found necessary, other Resident Magistrates will be sent to Belfast in their place. Up to the present it has not been found necessary.

IRELAND—IRISH POLICY OF THE GOVERNMENT—RELEASE OF MR. PARNELL AND OTHERS.

SIR STAFFORD NORTHCOTE: Sir, I desire to apologize to my hon. Friends the Member for Horsham (Sir Henry Fletcher) and the Member for Guildford (Mr. Onslow), whose Questions stand next upon the Paper, for interposing and putting a Question to the Prime Minister, of which I have given him private Notice. It seems to me that the question with regard to the proceedings connected with the release of the prisoners from Kilmainham cannot remain in the position in which it is at present. Therefore I am entitled, and even bound, to ask the right hon. Gentleman whether he can give us any further informatian with regard to those proceedings; and there are one or two questions of a specific character which I wish to put to him. The first is, What other Members of the Government besides those mentioned last night—namely, the Prime Minister himself and the late Chief Secretary for Ireland—had communication, direct or indirect, with the hon. Member for the City of Cork (Mr. Parnell) before his release? Secondly, whether those communications were made known to the Government as a whole, or whether they were made known to the late

Chief Secretary for Ireland in particular? Thirdly, whether any Members of the Government had personal interviews with the hon. Member for the City of Cork before his release? And, fourthly, I wish to know, with reference to something that fell from the hon. Member for the City of Cork in the course of last evening, whether the release of Michael Davitt was stipulated for or mentioned in the communications that were made; or, if not stipulated for, was mentioned as a matter that ought to be included in any arrangements which were to be made?

MR. GLADSTONE: I will answer, Sir, the particular Questions that have been put to me by the right hon. Gentleman, and I will answer any other Question on the same subject to which I can reply without any violation of my public duty, or without being guilty of what, under present circumstances, I should consider a very serious error—namely, entering unnecessarily on a course of discussion, or otherwise, which is not favourable to the work of peace, law, and order in Ireland. [*A laugh.*] I do not think that this is a laughing matter, as the hon. Member opposite (Mr. Onslow) does, and I am sorry he does so think it. But, Sir, I do not intend to volunteer any statement upon the subject; for I am of opinion, viewing what has taken place, and in particular viewing what took place last night, that some of the proceedings connected with this subject have not been favourable, but eminently unfavourable, to the discharge of the duties of the Executive Government at the present moment, and to the success of the designs which, as is well known, they have in view. Perhaps I may be permitted to say, Sir, that hon. Gentlemen do not seem quite to apprehend the position taken by the Government upon this subject. Well, I will endeavour to assist them as far as I am able in that work of comprehension. Nothing in our view can be more simple, more distinct and isolated, than the question we have had to consider with regard to the release of the three suspected Members of Parliament, and with regard to the subsequent examination of the other cases which were treated at the same time as connected with it. In our opinion, that matter has no connection whatever with the question of arrears; no connection whatever with the question as to Mr. Michael Davitt. It was simply a question of duty under the letter and spirit of a law of exceptional power. It was our duty to ask whether we had prospectively reasonable suspicion of conduct on the part of these Gentlemen tending, in the terms of the Act, to the disturbance of law and order; and if we had not this reasonable suspicion it was our duty, in our opinion—that is open, of course, to challenge by the House—it was our duty, looking neither to the right nor to the left, at once to open the prison doors to them. I hope that is a clear and distinct statement, and one that may, in some degree, help to simplify the issue in this matter. I will proceed now to answer the particular Questions put to me by the right hon. Gentleman, and which I thank him for giving me private Notice of. The first Question is, whether any Members of the Government had communication, direct or indirect, with Mr. Parnell? I am not prepared, as a mere matter of words, to admit that I had any communication, directly or indirectly, with Mr. Parnell. I should consider it more accurately framed if it were "received information from Mr. Parnell." But passing by that as a mere verbal question on which we may differ, I think it was mentioned distinctly by my hon. Friend the Member for the County Clare (Mr. O'Shea) that he had conversations, one or more—I do not know whether a written communication also—on the same matter with my right hon. Friend the President of the Board of Trade. I think it was mentioned by him last night. [Mr. GORST: No, no!] My right hon. Friend reminds me, as the hon. and learned Member for Chatham (Mr. Gorst) has just displayed his incredulity in reference to this matter, that the hon. Member for Clare read a letter from him, and therefore the scepticism of the hon. and learned Member is on this occasion slightly in excess. The next Question is, whether those communications were made known to the Government as a whole, or to the Irish Secretary in particular? There were no such communications, and, consequently, that can hardly be answered. So far as I myself am concerned, I had no knowledge whatever of the matter, except what is in possession of my noble and right hon. Friends and Colleagues in the Government as a whole; and that I believe to be the case with regard to the President of the Board of Trade, and I believe also with regard to my right hon. Friend behind me (Mr. Forster). The next Question is, whether any Members of the Government had personal interviews with Mr. Parnell? Not to my knowledge. A further Question is, whether Michael Davitt's release was stipulated for? It has been stated several times that nothing was stipulated for, or entered into the reception or consideration of this evidence except the simple question of what we believed to be prospectively the intention of the hon. Members in custody. I need not say there was no stipulation with regard to Michael Davitt or anyone else.

Lord JOHN MANNERS: Was there any information given by Mr. Parnell on the subject?

Mr. GLADSTONE: I am not aware of any information having been given on the subject.

Mr. GIBSON: Were the Government aware that the hon. Member for the City of Cork desired that Mr. Davitt should be released?

Mr. GLADSTONE: I really cannot say at this moment whether such a thing was contained in the letter read last night—I do not recollect that it was—but I had no other communications made to me, and, so far as my recollection goes, I had no such knowledge.

Sir STAFFORD NORTHCOTE: I referred to Mr. Davitt's name in consequence of what fell from the hon. Member for the City of Cork last night.

Mr. ONSLOW: Might I ask the Prime Minister if he has any objection to read the letter which the hon. Member for County Clare said he had sent to the right hon. Gentleman? The hon. Gentleman read the Prime Minister's reply, and it would be interesting to the House and the country if we had the letter to which it was an answer.

Mr. GLADSTONE: The only interest attached to it is this. That I should be called upon to produce letters addressed to me by hon. Members of this House on their own Motion is a question that would be rather a serious one. I can understand that the hon. Gentleman is under the impression that there is some connection between the letter of the hon. Member for Clare and the subsequent communications; and that that letter in some way or other brought the hon. Member for the City of Cork on the carpet. Well, last night, when I heard the statement of my hon. Friend the Member for Clare, I immediately rose to guard myself against any such interpretation of his letter; and I stated that his letter had no connection whatever, to my knowledge, with the views of the hon. Member for the City of Cork. This morning I have sent for the letter. It is a long and interesting and very intelligent letter, setting forth the views of the hon. Member himself very largely on the subject of Irish politics, and what may be called burning Irish questions, and I find in it these words—"This time, of course, Mr. Parnell has no part in the initiative." I hope that is quite conclusive as to that letter. It is right I should explain the words, "this time." Their meaning is this—that during a discussion last year upon the Land Bill, my hon. Friend came to me and made a proposal, the particulars of which I do not now precisely recollect—that is quite immaterial. He stated his belief, and stated that he had the authority of Mr. Parnell for conveying this belief, that such a proposal, if accepted, would render the Land Bill, I think, completely acceptable, or something of that kind. I told my hon. Friend I would make the proposal known to my Colleagues, which I did. We could not accept it, and it fell to the ground. That is the meaning of the words "this time." He wishes to distinguish between what he did last year in the name of Mr. Parnell and his own action on this occasion.

Captain AYLMER: May I ask the right hon. Gentleman one Question? When he and the Cabinet came to the decision that the three Members could no longer be kept in prison on account of reasonable suspicion, were they then in possession of the conversation between the hon. Member for Clare and the late Chief Secretary for Ireland, in which it was stated that he had such control over Mr. Sheridan, who had instigated riot in the West of Ireland, that if released he could induce him to put down the outrages?

Mr. GLADSTONE: Yes, Sir.

Sir H. DRUMMOND WOLFF: I wish to ask whether, on the 13th of April, when the revision of the cases of the "suspects" was submitted to the Lord Lieutenant, His Excellency had reason to believe that the Government shared the opinion expressed by the Attorney General for Ireland on the 16th of February, that Mr. Parnell was steeped to the lips in treason?

MR. GLADSTONE: It would be rather difficult for me to say what the opinion of the Lord Lieutenant was on the 13th of April when he revised the list, without communicating with him. This revision was not made by the Executive Government here, but by the Executive Government in Ireland. I can state this, which I think is a substantial answer to the Question, that I am not aware that on the 13th of April I, or any other person connected with the Government, had received any new evidence or information whatever as to the views of the hon. Member for the City of Cork with regard to the maintenance of peace and order in Ireland.

MR. LABOUCHERE: I beg to ask whether it is in accordance with official usage for a right hon. Gentleman who has left the Cabinet to read to the House a *precis* of a private communication without the consent of his Colleagues; and whether the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had the consent of his late Colleagues to read, as he did last night, the *precis* of the conversation with the hon. Gentleman the Member for Clare?

MR. MACARTNEY: I wish to know whether the Cabinet, at the time it was resolved to release the prisoners, had in their possession any letter whatever from the hon. Member for Clare?

MR. GLADSTONE: Certainly, Sir; and I should have thought that the hon. Member was in possession of the facts. It was, perhaps, the most important part of the evidence we had as to what we believed was the state of mind of the hon. Member for the City of Cork. In reply to the hon. Member for Northampton (Mr. Labouchere), there was no communication whatever between my right hon. Friend the Member for Bradford and myself as to his reading of that *precis.* I am not aware of any official usage on the subject, and I am not aware that I should have been entitled to give my right hon. Friend permission to read it. He acted upon his own responsibility, and I do not think I have any right or title to pass judgment upon the correctness or incorrectness of his proceeding in the matter, further than that which may be passed by any Members of the Government, and by every Member of the House at large.

MR. W. E. FORSTER: It will be necessary for me to make one remark. The memorandum of the conversation with the hon. Member for Clare (Mr. O'Shea) I kept as a confidential document, except that I communicated it to my right hon. Friend the Prime Minister, and afterwards to my Colleagues. I should never have thought of reading it to this House had it not been for the statement of the hon. Member for Clare. When he referred to what had happened and alluded to a conversation with me, I thought it absolutely necessary to read that memorandum in order that the truth should be known, and also for the protection of my own honour, so that I should not appear to have acted an inconsistent, and what would, therefore, have been a discreditable part. I must remind the House that in doing so I simply alluded to a conversation with myself, and gave no information with regard to the action of other persons.

MR. O'SHEA: Under the circumstances, I can only say that the gloss put on the conversation I had with the right hon. Member by him last night did not convey to the House an accurate view of that conversation. I think the right hon. Member, who knew perfectly well that I had no information at all as to the organization of the Land League, must have known that I could have had no knowlege whatever with regard to Mr. Sheridan.

MR. SPEAKER: The hon. Member is now entering upon matters of debate which it is not competent for him to do.

MR. A. J. BALFOUR said, that the fact that the hon. Member for Clare (Mr. O'Shea) had been cut short in his observations was an additional reason why he should take a course which he was very reluctant to take, but which the singular position in which they found themselves rendered absolutely imperative. The House had been left in so astonished a state of mind last night by the revelations that dropped out one by one in the course of the evening, and the Prime Minister had said so little that afternoon in answer to the many questions put to him, that he thought it was absolutely necessary that some course should be taken which would give the Government a more ample opportunity of explaining their conduct, and which would give them on that side of the House a more ample opportunity of criticizing it. Therefore, he should conclude the very few remarks he had to make by moving the adjournment of the House. What was the situation? When the Prime Minister announced to an astonished House the sudden reversal of the Government policy, he went out of his way to state that there was nothing in the nature of a compact or an agreement between the Government and the Gentlemen whom they had been, up to that time, confining in prison without trial. No one would have suspected or conjectured anything in the nature of an agreement, if it had not been for the extraordinary insistance with which the Prime Minister repudiated the very possibility of an idea that any such a thing had taken place. It would be within the recollection of all that when the Government had been accused, more or less informally, of having entered into such a compact, they had volunteered no information which would enable the House to form a judgment on the question. Last night, however, a lurid light was thrown upon the transaction by the sudden revelation of letters which their authors certainly never expected when they wrote them would become public. At 5 o'clock they had one revelation, which was supplemented at 1 o'clock in the morning by another even more startling in its character. Now the House seemed to have a tolerably clear notion of what had passed. And what was it? The Government and the Prime Minister persisted in reiterating the assertion that there had been no treaty or agreement. It appeared to him that this was very much a matter of words. He recollected that in a comedy of Molière's the hero declared that he had not sold his goods, but had only given them to a friend, who had, in exchange, given him some money. There was no sale; there had only been a free exchange of gifts. In the same way, the Government had not, indeed, entered into a compact with hon. Gentlemen behind him; they had only given those hon. Gentlemen something they very much desired, and the hon. Gentlemen, on their part, had given the Government something they very much desired. Each party, before the transaction took place, knew perfectly well what they were going to give, and what they expected to receive. The Government were going to give the hon. Gentlemen their liberty and a Bill with regard to arrears. The hon. Gentlemen were going to give the Government peace in Ireland and support in Parliament. However that transaction might be disguised by words, there was no doubt whatever that it was a compact. There was no doubt whatever that the late Chief Secretary for Ireland looked upon it in that light, and it was largely because he looked upon it in that light that he felt himself compelled to resign his Office. He had felt that by entering into this treaty he might, indeed, gain for his Party a short Parliamentary support, and he might gain for Ireland a short interval from outrages, but that, practically, by asking the organization which had produced the outrages to cause them to stop, he was weakening the power of this Government and of every successive Government to deal successfully with Irish disloyalty and Irish disaffection. He did not believe that any such transaction could be quoted from the annals of our political or Parliamentary history. It stood alone—he did not wish to use strong language, but he was going to say—it stood alone in its infamy. If anything could add a darker touch to the picture, that darker touch had been added by the Home Secretary. Only three or four days before the Government concluded this Treaty of Kilmainham, the right hon. and learned Gentleman went down to his own constituency, and, at a public meeting at Derby, drew down the cheers of the assemblage by accusing the Conservative Party of having entered into a league with the Home Rulers, and this while he, or the Government of which he was a Member, was actually in the process of negotiating the treaty, the full particulars of which had only been revealed to the House last night and that morning. It seemed to him that the full consequences of these revelations were complicated and far-reaching, and must shake for ever their confidence in the statements of the Government. That they had been verbally accurate he was not going to dispute; but he was perfectly certain that if they had been verbally accurate they had been substantially misleading. He believed that the Executive Government of this country had been degraded by treating on equal terms with men in whose guilt they so fervently believed that they felt themselves justified in imprisoning them for months without trial, by negotiating with men whom they had asserted to be steeped to the lips in treason, by negotiating with men who had used their organization for purposes adequately to characterize which the vocabulary of the Government had up till the preceding week proved scarcely equal. The Executive was degraded by negotiations with these men, and its power for good was, if not entirely destroyed, yet weakened, not only then, but for years to come. The agitators in Ireland would henceforth have the conviction that, by holding out to the Government alternatively the threat that they would promote outrage and the promise that they would stop outrage, they would be able to exact from the Government whatever legislative measures they might wish to see put upon the Statute Book. Hon. Members behind him had succeeded in coercing their own country by a mixture of threats and promises, and they had now succeeded in coercing the Government by similar means, and he believed that it would be long before the Irish Executive freed itself from the stain which, in a moment of rashness, the Government had put upon them. They had negotiated with treason; they had negotiated in secret; and, almost worse than all, it appeared that one of the things the Government had, in their own words, reasonable grounds for believing they would obtain by letting out of prison the men whom they had put in for the gravest crime—one of the things the Government expected to gain was their Parliamentary support. Transactions of that kind, in his opinion, deserved and required the fullest and most minute discussion in that House, the most ample explanations from the Government, and the freest criticism from the Opposition. He begged to move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. A. J. Balfour.*)

MR. GLADSTONE: Sir, I cannot help congratulating the hon. Gentleman on the height to which he has at length wound up his Parliamentary courage; and I will first endeavour to deal with the most logical portions of his speech, commencing with that witty and recondite reference to Molière. He says there was a substantial compact between the Government and the hon. Member for the City of Cork; and he has not the slightest hesitation in flatly giving the lie to a body of Gentlemen who are as well entitled to be believed, and who, having grown grey in the service of their country, feel it but a light matter, as far as their character or reputation is concerned, that these rash accusations should be hurled against them from such a quarter. The speech of the hon. Member is not a mere baseless dream, conjured up by the strength of Party passions on the emptiest and most frivolous materials; it contains, at least, this one statement, that because in Molière there was a man who, having sold goods and received a price, pretended that he had made a present of goods and received a present in return, the position of the Government is analogous to that. I am glad to see that a right hon. Gentleman, a late Minister of the Crown, knows so much of political life, that he thinks it wise and discreet not to agree to that. The hon. Member for Hertford (Mr. A. J. Balfour) goes on to prove his point in this way. I am going to bring it to the test of fact. He says the substance of his complaint is this—that the hon. Member for the City of Cork was to get his release, and he was also to get legislation as to arrears in Ireland. The consideration the hon. Member was to have was twofold, for the Government was to obtain through him peace in Ireland, and they were to obtain Parliamentary support; and all this was known and understood beforehand. Is that a fair statement of the hon. Gentleman's charge? [MR. A. J. BALFOUR: It is, Sir.] Then I say there is not one word of truth in it from beginning to end. I say, Sir, that the hon. Member for the City of Cork, so far as the Government know, never knew he was to be released until he was released; and I defy the hon. Member for Hertford, and I defy those who may feel with him, including a late Minister of the Crown, to bring a shred of evidence to disprove what I say. [*A laugh.*] The right hon. Gentleman the Member for the University of Oxford (Sir John Mowbray) laughs at me;

but I must point out that this is the whole essence of the charge. The man of Moliére—the model man of the hon. Member for Hertford—understood perfectly well when he gave his goods that he was to get something in return; but I wish to point out that the very things the hon. Member says the hon. Member for the City of Cork and the Government knew, neither the Government knew, on their side, nor the hon. Member for the City of Cork, on his side. My first statement, then, is that the hon. Member for Hertford is bound, after making these charges, to go through with them. He has no right to make these charges and then recede from them. He declares that the hon. Member for the City of Cork knew that the Government were going to release him. I call upon him to prove it. I deny it. He did not know—he had not one shred or tittle of knowledge about his release until he was released. What else did the hon. Member for the City of Cork know beforehand? According to the cool assumption of the hon. Member for Hertford, he knew there was to be legislation on the arrears in the sense he desired. Again I meet the hon. Member for Hertford with a flat denial. The hon. Member for the City of Cork knew nothing of the kind; the Government had decided nothing of the kind; and I affirm that when the hon. Member was released from prison he knew absolutely nothing of the intentions of the Government with respect to arrears, unless it was what he had gathered from the speech made by me in the House of Commons, which expressly and absolutely reserved freedom to the Government to judge and decide for itself between the two methods of proceeding as to arrears—the method which the hon. Member for the City of Cork had approved of, and the method which he had rejected and condemned. Well, Sir, so much for what the hon. Gentleman the Member for the City of Cork knew on his side. Now I come to what we knew on our side. But permit me to say that if we did know upon our side what the hon. Member for Hertford said, that does not mend the position of the hon. Gentleman—not one bit; because everything depends upon the reciprocal knowledge. The knowledge of the man in Molière that somebody was going to give him something would not make a corrupt compact. It was his knowledge that he was going to give the other man something in return, and was going to represent it as a gift, that made it a corrupt compact. Now, Sir, what did we know? The hon. Gentleman says we knew there was to be peace in Ireland brought about through the Member for the City of Cork. Sir, I would to God I had known it. I certainly, if I had known it, would have gone a long way in consequence of it. I set a value upon peace in Ireland very different from that which is set upon it by the hon. Member for Hertford, who seems to treat all expectations relating to it as simply matter to be used in making out a charge of guilt against his adversaries. The hon. Member says that we reckoned upon Parliamentary support—that we had reason to reckon upon Parliamentary support. Sir, as the hon. Gentleman has said this, I will read a few lines which were written by me upon first receiving the letter that was read last night, and I think I have a right to read my own words. They were written upon the spur of the moment, and were addressed to my right hon. Friend the late Chief Secretary for Ireland. After discussing the subject of the letter of the hon. Member for the City of Cork, of which I took a view entirely different from that of my right hon. Friend, I went on to use these words—

> "He—that is, Mr. Parnell—then proceeds to throw in his indication or promise of future co-operation with the Liberal Party. This is a proffer which we have no right to expect, and which I rather think we have no right at present to accept."

Now, Sir, I ask the hon. Member what he thinks?

MR. PELL: What is the date of that?

MR. GLADSTONE: It was written within half-an-hour of my first perusal of the letter from the hon. Member for the City of Cork to the hon. Member for Clare, that letter from the hon. Member for the City of Cork, being dated on Saturday, being received by me on Sunday afternoon, and I immediately, writing thus upon it where I was in the country, and, of course, without any opportunity of consultation with anybody. So much for the corrupt expectation of Parliamentary support from the hon. Member for the City of Cork which governed my conduct in regard to the release of the "suspects;" and, with regard to peace in Ireland, why, Sir, of course, for me it was a happy thought—it was an agreeable disclosure that it was probable any influences which I thought had been used in an opposite sense before were likely to be used in the cause of right and justice, of law and order, of peace and security, and I am not ashamed of it. Now, I have gone through the statements of the hon. Gentleman, and I challenge him to show that I am in the slightest degree inaccurate when I affirm that from the Government the hon. Member for the City of Cork had not the slightest knowledge on either of the subjects before he was released upon which the hon. Member for Hertford makes bold to say that the hon. Member for the City of Cork was perfectly informed. But that is not all. I have yet got to deal with the other portion of the speech of the hon. Gentleman. The hon. Gentleman is, indeed, in a deplorable predicament. What is the position in which he stands? He has got before him a Government whom he charges with infamy. The thin disguise which he casts over the word does not for a moment avail to conceal its true character. He has got a Government tainted, in his view, with infamy. He has got a Government which makes statements verbally correct, but substantially incorrect — that is to say, which delivers falsehoods in this House; and he has got a Government which has "degraded the Executive." Under these circumstances, what does he think is required of him by his duty? He says that this infamy and this degradation and this falsehood requires the careful criticism and the adjournment of the House. That is the height to which the hon. Gentleman has raised himself to-day. That is the height to which a late Minister of the Crown has raised himself to-day. As to the late Minister of the Crown, what is his state as to courage? Let him lay on the Table a charge against the Government. I say those who make those charges are bound to carry them to an issue. The hon. Member for Hertford has come out of the field, and he has been cheered by the late Home Secretary (Sir R. Assheton Cross). Let him remain in the position he has assumed. Let him prove his charges. Let him sustain them, or else with honour let him abandon them and express his regret. But then, Sir, do not let him resort to the most miserable of all courses, and say, "We have a Government tainted with infamy—a Government tainted with falsehood—a Government that has degraded the character of the Executive; and I really feel myself obliged to claim the power of discussing and criticising such conduct, and to show my indignation on behalf of fundamental principles of public morality and public honour, by moving the adjournment of the House." I ask the hon. Gentleman whether it is desirable that charges of this kind are to be made and not to be sustained? I say this, in conclusion—if they are so made, and are not sustained, they are disgraceful to those only who make them.

MR. GIBSON: Sir, the Prime Minister has asked the House of Commons and the country, in the face of facts and incidents which have now been disclosed, without any thanks to him, to accept as a sufficient answer the language of bold, passionate, and inflammatory denial, and has asked us to believe that the two high contracting parties to this transaction have minds of Arcadian simplicity. I am bound to say, Sir, that the present knowledge of the country is such as is not to be put aside by indignation and passion, or even by ridicule; and I think we had a right to expect that at this stage of the transaction a complete frankness would have been exhibited. The stages by which this business has culminated in our present state of knowledge are certainly to the last degree peculiar. On a Tuesday, which I think the House will not readily forget, the Prime Minister came down to the House, and, without Notice, at 5 o'clock, made a statement which had not a single vestige of an intimation for the country or the House of this transaction which had occurred at Kilmainham—not a syllable. On the contrary, the only thing there was to warn the House and to arouse its suspicion was the fact that the Prime Minister, without being charged, and before he was charged on the matter, went out of his way to deny that there had been any arrangement. But, on the following Thursday, the right hon. Member for Bradford (Mr. W. E. Forster) made his explanation to the House, which the Prime Minister acknowledged was given with a reserve which did him credit. On that occasion did the Prime Minister avail himself of the opportunity then obviously before him to make anything like that full and complete statement which the House had a right to expect? On the contrary, the House knows the varied and halting phrases by which it was taken into, not full but partial, confidence as to the facts. The House were first told that the Government had information—we were not told what kind of information, or the tendency of the information. Further, we were told that that information put the Government in a position of knowing the state of mind of the hon. Members recently confined in Kilmainham. And, thirdly, the right hon. Gentleman then proceeded to make a reference to the arrangement—of course "arrangement" is a term that is denied—relative to a Bill to be introduced on a certain basis. The disclosures of that Thursday were enough to make the House and the country anxious, uneasy, and alarmed. They were not complete. Questions were afterwards asked in the House by hon. Members from day to day, and the answers given by the Prime Minister were eminently calculated to suggest to the country that there was a something—whether it was to be called an arrangement, a transaction, or whatever it was—a something which the Government did not feel at liberty to take us into their confidence upon. I do not think that the hon. Member for the City of Cork has much reason to be grateful to the Prime Minister for his replies; but, unquestionably, those replies conveyed to the mind of the country that there was a something which the Prime Minister did not feel inclined to disclose. Last night the matter took a further development, but without the slightest thanks to the candour and frankness of the Government. Now I put this proposition. If this transaction was what the English people love—a fair, honest, above-board transaction, with nothing clandestine or secret about it, why was it kept back and not put forward? Why did the Government leave it to dribble out in partial statements and uncertain information, unless they felt that there was something to be ashamed of, something they preferred to keep in? The letter of the hon. Member for the City of Cork was not mentioned. That letter was read in the presence of the Government. I have a right to notice the fact. I do not characterize the passage that was not read or not disclosed. I might use strong language about that. All I say as to that letter is, that the Prime Minister has stated in the last five minutes that it was the principal evidence on which the Government acted; and they all, from the Prime Minister down to the most subordinate official, allowed it to be read to the House with that passage omitted, although the Prime Minister, when he first read the letter, thought this passage so remarkable as to require from him a special note in a letter to the Chief Secretary. I pass no judgment upon that; but I have heard it suggested in the Liberal ranks and I have read in Liberal organs that the right hon. Member for Bradford is to blame because he insisted upon having out the truth, the whole truth—the letter, and the whole letter. I put this question to the House of Commons—Would any man in this House dare to stand up in his place and to say that the right hon. Member for Bradford could, as a gentleman and a man of honour, when he knew that the letter had not been read completely to the House, have allowed the House to remain under the erroneous impression that it had been read? I make that challenge very broadly and distinctly. These things are talked of out-of-doors. Some of the Liberal Press make these charges against the right hon. Member for Bradford. Is there in the House a solitary Member, Radical or Liberal, who dare rise in his place and say that the right hon. Gentleman (Mr. W. E. Forster) was not bound, as a gentleman and a man of honour, to insist on the reading of the entire letter? You are silent; you whisper in the Lobby, and you talk outside. There is not a man of you, whether on the Liberal or the Radical Benches, that dares to rise and suggest that the right hon. Gentleman was not bound, as a man of honour, to demand that this letter should be read in its integrity. Now, what is this letter? Is it an important and vital step in this negotiation? Is it a protocol; is it a despatch sent by an engaging and attractive ambassador, who had the usual diplomatic direction as to leaving a copy with the other party, and making any further explanation that might be demanded? Now, I at once criticize this letter—I am not a bit frightened by the Prime Minister—I criticize it as I would criticize it before any assembly in this Empire; and, unless I was addressing a body of men of the simplest and most innocent minds, I should venture to say there is not a single man in the community who would have a doubt as to the meaning which I venture to put upon it. Is it not obvious that these words disclose three considerations which were to move from the Government, and two that were to move from the hon. Member for the City of Cork? We are dealing with very shrewd, capable men — not with simpletons. There are many ways of conveying your meaning besides express writing; and I say that it is most obvious that the idea at the bottom of the mind of both parties was that release would follow the carrying out of this transaction. Surely that is a statement so obvious that no one talking outside in the street, where they can presume to talk common sense, would gainsay it. No one can for a moment think that the man who wrote that letter, if it was entertained by the Government, would be kept in custody 24 hours afterwards. Why, the terms of the letter demonstrate the absurdity of any such suggestion, because it says that the hon. Member for the City of Cork intimated that in a certain contingency "the strenuous and unremitting exertions" of himself and his friends were to be applied in a particular direction if certain things happened. How were the strenuous and unremitting exertions of the hon. Member for the City of Cork to be so applied unless he was out of gaol? Now, I say that the release was not mentioned there because it was too obvious to be stated. The understanding as to that release underlay the whole transaction. Of course, the hon. Member for the City of Cork could not stipulate for it. If he did, his influence in Ireland would have gone in a moment. The Government, again, could not do so, because it would not bear the simplest investigation. What was the next step in the consideration that was to move from the Government? Of course it was not admitted, because it was not their practice to admit anything. It was the Arrears Bill. Surely there is no man, I care not how extreme a partizan, who can question for a moment that there was to be an Arrears Bill on a certain basis.

MR. GLADSTONE: I beg pardon; I entirely deny it.

MR. GIBSON: I am dealing with the letter at present. The hon. Member for the City of Cork intimated in the clearest possible way that he considered the passing of an Arrears Bill a *sine quâ non;* and the Prime Minister put that with the greatest possible clearness, when he said that the hon. Member for the City of Cork mentioned it as being absolutely indispensable in his view that the question of arrears should be settled on a certain basis. That was the second element of the consideration from the Government. [*Murmurs.*] Really, when I have plain facts to go upon, when I have got a letter on which I can put a plain meaning, and again when we have the Bill introduced last night, following if not word for word, at all events in clear meaning, the Bill of the hon. Member for New Ross (Mr. Redmond), I must insist on my right to put a plain meaning on a plain transaction. Now, what was the last element of the consideration from the Government? It was vague, uncertain, but hopeful — namely, that possibly at the end of the Session, if things went well, if the Land Question was settled and set at rest—and now the suppressed passage of the letter comes in—if the Liberal Party were aided by the Land League Party in carrying out Liberal measures, then, at the end of the Session, the Coercion Act might be allowed to lapse. That was a contingent consideration that was offered by the Government to the hon. Member for the City of Cork. Now, what was the consideration on the other side? It is impossible almost to use words properly to characterize the transaction. The Government were about to release those men who, up to the moment of their release, were confined under warrants charging them with treasonable practices and with intimidation, and they were to use them as part of the police of the country—in other words, that the Government were to have as their consideration the co-operation of the hon. Member for the City of Cork in the government of the country. The other consideration, Sir, was the assistance which was to be given in the carriage of Liberal measures. I am not at all a suspicious man; but I think that the passage read by the Prime Minister to-day from his own letter relative to this omitted provision was a curious passage, and I am sure that the high-contracting parties to that document considered it an injudious paragraph. The hon. Member for the City of Cork appears to have thought it proper that no general reference should be made to his release; the Prime Minister also, being a man of experience, considered that the matter of the promised support of Liberal measures had been indiscreetly introduced into the letter, and preferred to make a secret memorandum, in a letter to his Colleague, to the effect that, although at present it might be premature, yet there might be some hope held out for the future, and so forth; the meaning of the whole thing being this—I do not wish to appear as a party to a transaction with the appearance of bargaining for political support. Now, I heard the speech of the right hon. Gentleman to-day. Of course, the right hon. Gentleman had a right to be indulged in the use of all his great powers; but when he condescended to the employment of argument, it came to this—that neither party had anything which he had a right to christen knowledge; that the Prime Minister had no knowledge, and the hon. Member for the City of Cork had no knowledge. The meaning of the word knowledge is veiled in obscurity. I do not say they had knowledge; but I do say that each of them—to use the words of a recent Statute—had a "reasonable suspicion;" that the Prime Minister was reasonably suspected by the hon. Member for the City of Cork of certain intentions, and the hon. Member for the City of Cork was also reasonably suspected by the Prime Minister. But the matter does not rest with the letter; there was that memorandum which was read last night, which now goes forth to the country, without one particle of observation or explanation from the Government.

MR. GLADSTONE: I was not a party to it.

MR. GIBSON: Last night, I say, the right hon. Member for Bradford read to the House that memorandum, a painful and serious memorandum, suggestive of grave and very painful reflections to any man who understands public life in this country. The Prime Minister spoke afterwards, and the importance of his intervention was this—that, being on his legs last night, and having the opportunity of giving some explanation, the Prime Minister resumed his seat, leaving that document to go forth as an admitted document, coloured as it was by the statement of the right hon. Genleman the Member for Bradford. The Prime Minister has intimated that he was not answerable for that document; but he knew that the statement had been made, he even thought it necessary to put down upon paper a repudiation of the passage in the letter which accompanied it; but did he think it necessary to save his Cabinet from the charge that it had entered into an alliance against outrages with those very persons who had caused the outrages to be committed? That document is a grave and serious record of a conversation practically admitted. ["No, no!"] Well, I prefer taking the events of last night. The only word which the hon. Member for Clare (Mr. O'Shea) then challenged in that document was the word "organization," which he substituted for the word "conspiracy." The hon. Member for Clare complained in general terms of a gloss being put on his words; but that is the only verbal correction he has made, after having had the opportunity of reading the whole statement in the paper. [MR. HEALY: He has not spoken yet.] I am much obliged to the hon. Member, and I hope he will rise by-and-bye, and explain the whole circumstances. I must make this observation, and say that I think this memorandum contains a clear statement, which is of the greatest importance to the country, that a conspiracy which has been used to get up "Boycotting" and outrages will now be used to put them down. I should like to know what is the opinion of the Government with respect to this damning statement? What was the opinion of the Cabinet on this memorandum? Can it be said that they had no particulars? They must have had before them the words read by the right hon. Member for Bradford in all their directness and completeness. They had those words and nothing else, that we know of. Did it not enter into the minds of the Cabinet that they would hold no such terms as these? That is, indeed, a serious matter; and I should be glad that whoever speaks should indicate his views of this conversation, and should give something more than a silent repudiation to the statement that they mean to rule the country by means of the organization which got up "Boycotting" and outrages. The hon. Member for the City of Cork also used words in his calm speech which will attract the attention of the country. He mentioned the man Sheridan, a man who has eluded the vigilance of the police, and who was to be used in quieting the people of Ireland. I admit the hon. Member for Clare may not be acquainted with the antecedents of Mr. Sheridan; but the Government could not plead that, because they knew of him from the right hon. Gentleman the Member for Bradford. The hon. Member for the City of Cork also introduced two new names, those of Egan and Davitt. Have the Government considered Egan's case? Is there any intention of his coming back to this country? Was Davitt's name suggested before the release of the "suspects" was agreed to? Was it mentioned to the hon. Member for Clare, and by him to the Government? Assuming that to be correct, surely it is impossible that the hon. Member for Clare should have forgotten it; and if he did not forget it, he must have told it, and if he told it, the Ministry must have known of it. We are entitled to know exactly the position of Davitt's name in this transaction. This is not an agreeable incident; and I should like to know whether, if the late Lord Beaconsfield had been alive, who for many a day ran the gauntlet of unmeasured vituperation from the right hon. Gentleman the Prime Minister——

MR. GLADSTONE: I think, Sir, if the right hon. Gentleman refers to me in using the words "unmeasured vituperation," I may recall his attention to the fact that that charge was made against me in "another place," about three years ago, that I invited a selection of passages in which this unmeasured abuse had been used by me; but, though investigation and citations were promised, no passage was ever produced, and no reference ever made to the subject again.

MR. GIBSON: I think I am entitled, at all events, to say—[*Cries of* "Withdraw!" *and* "No!"] I am quite willing to accept the expressions of the right hon. Gentleman, and I at once withdraw the expression; but, unquestionably, I think I am entitled to say this—that all through his public career the Prime Minister never shrank from the most strong and severe criticism; and, that if Lord Beaconsfield had been a party to a transaction of this kind, there is no language of unsparing and scathing denunciation which would not have been applied to him. The Home Secretary, at Derby, made a jubilant and pleasant speech, taunting the Conservatives with having an understanding with the Home Rulers, because they regarded some questions from points of view which enabled them both to act against the Government. But neither side for a moment suggested that they regarded those questions from the same point of view, but that, regarding them from their own point of view, they independently arrived at the conclusion to oppose the Government. I should like to know, if the Conservative Party, as at present constituted, had entered into a transaction of this kind, what adjectives the Home Secretary would have abstained from using? Would he have gone back to his old habit of using powerful and eloquent epigrams against the Party opposed to him? I regret this incident. [*A laugh.*] Yes, I regret it from my heart, because I know its danger in Ireland. How can you expect the people of that country—I am not talking of any particular Government—to respect the Queen's Government, to respect the Executive, if it has been a party to such a transaction? Is it not an admission of pitiable weakness? Is it not an admission that the Government practically are willing to confederate with anyone for the advancement of their purposes? The right hon. Member for Bradford, in his first explanation with regard to his resignation, used words which ought never to be forgotten. He said, in effect, that this incident and the circumstances under which it took place have led to the weakening of respect for the law in Ireland, and may tend to the paralysis of authority. I do sincerely hope that no bad results may ensue from this. I do not know how far the Kilmainham compact may be in existence, or whether it be broken in consequence of being known; but I hope the Government, as far as can be, will act upon their own responsiblity, and govern, as the Queen's Executive is bound to govern, by the laws placed at their disposal and the great powers with which the Constitution surrounds and is ready to inforce those laws.

SIR WILLIAM HARCOURT: Sir, the hon. Member for Hertford (Mr. A. J. Balfour) has charged Her Majesty's Government with conduct to which he applies the word "infamous." Well, the hon. Member charges men who, I will venture to say, are men of honour equal to himself, with conduct to which he applied that language, and he applies it on the ground of the correspondence which has been the subject of discussion in this House. The hon. Member for Hertford ought to know something on the subject of secret memoranda. He has been brought up and learned in a political school of secret correspondence. He has served in a Government which has signed secret memoranda; and when these were published, and the Government were charged with what they had done, they said they were not authentic. The present Government of the Queen is incapable of conduct like that. If words like "infamous" are to be applied between one Party and another—a proceeding which is not one of good example—I think the hon. Member for Hertford had better look nearer home; but, in the meanwhile, I take upon myself to say that the hon. Member has used that language in the presence of this House, which is a House of English Gentlemen, and if he thinks he is capable of maintaining or sustaining such a charge, let him take the opinion of this society of English Gentlemen upon it. ["Oh, oh!"] Do hon. Members opposite think that, whatever may be the ties of Party, that a body of English Gentleman would support a Government of infamy or of dishonour? Therefore, I say to the hon. Member for Hertford, he has no right to use such language, unless he is prepared to bring it to the test; and if he is not, I will tell the hon. Member for Hertford that I treat that language with the contempt it deserves. ["Oh!"] That is my answer to men who make insolent charges which they know they are incapable of sustaining. That is my answer to the hon. Member for Hertford. Now I turn from the hon. Member for Hertford's language, which is mere loose empty abuse, to the speech of the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson), who, at least, condescended to give some reasons for his language. What is it that the right hon. and learned Gentleman charges the Government with? He says they ought to have made a franker explanation. What is the franker explanation he desires? Her Majesty's Government are charged with two things, as I understand—first of all, with having released the "suspects" at all; and, secondly, with not having given, as fully as the right hon. and learned Gentleman thinks they should, the reasons which actuated them in so doing. As regards the release of the "suspects," my right hon. Friend the Prime Minister has placed that matter on the footing upon which he and his Colleagues always regarded it. The "suspects" were placed in prison because it was considered their being at large was dangerous to the peace of the country. Then the Government had to consider whether that danger continued to exist, or whether anything had occurred which had removed that danger; and if the Government were convinced, upon what they considered to be credible evidence, that that danger was from any cause removed, not only were they justified, but they were bound in honour to release the "suspects." That is the clear situation. My right hon. Friend (Mr. Gladstone) stated, when we were charged with want of frankness, that information had come to his knowledge that the circumstances were such that the "suspects" might be released with safety. It was not incumbent on the Government—it would have hardly been within their right—to state that information, so long as the person who had given that information, and those who were authors of that information, were ready and willing to state it themselves. That seems to me to be a clear proposition also. The Government were bound to be satisfied in their own minds. But then it is said, "You ought never to have entered into this matter at all; you ought never to have allowed communications between the Member for the City of Cork and yourselves." Is that the charge against us? Is that the character of the charge? Were we to have received no information as to the views and state of the mind of the persons in prison, and were we not to act upon that information, if it appeared satisfactory? Those who say, "You ought not to have held any communication with those Gentlemen at all with the view to their release," are not attacking us only; they are attacking the right hon. Gentleman the Member for Bradford. I am sure my right hon. Friend (Mr. W. E. Forster) will acknowledge that what I am stating is perfectly correct. Day after day, and week after week, he was releasing "suspects" from prison. Why did my right hon. Friend release them. Why did he imprison them? He imprisoned them because he thought their being at large was to the detriment of the safety of the country. That was his opinion. Why, then, did the Government release them? Because they had come to the conclusion that that state of things no longer existed. How did they come to that conclusion? Was it by communication with the imprisoned Members? I believe—I ought not, perhaps, to state it, but I think I am stating nothing that is incorrect—that my right hon. Friend at the head of the Government frequently arrived at that knowledge without communication with them, but from the opinion he had formed of their relation to the country. But I am quite sure that my right hon. Friend the Member for Bradford would state, that if any "suspect" assured him, either personally or through some other party, that he was willing to use his influence in favour of peace and tranquillity in Ireland, he would have released him. I certainly would have been no party to keeping "suspects" in prison, unless I had believed these were the grounds on which he was acting. Why should the same grounds not be applied to the three Members of Parliament who were released? I am sure my right hon. Friend will not say that it is not the case. He does not deny that he was prepared, and that it was proper, to hold communications to ascertain the views of these Gentlemen for the purpose of determining whether their release could or could not take place consistently with the public peace and safety. If he had not been of that opinion, why was he a party to these conversations and letters? Who blames him for it? Up to the very last moment, there never was any difference of opinion between my right hon. Friend the Member for Bradford and his Colleagues. He desired, as we desire, to ascertain whether there was good and solid ground for believing that the release of these Gentleman could be effected consistently with the public security in Ireland. The only point upon which we differed was, that we, his Colleagues, thought the information was sufficient; he thought it was insufficient. There was no imputation as regarded him that this transaction should have taken place; the only difference of opinion was, was there sufficient assurance that the release of these Gentlemen would be attended by the employment of their efforts not for the injury, but for the advantage of the public peace? But my right hon. Friend has already stated to the House what was the first condition upon which he would have released the "suspects." He has told us himself, and I ask my right hon. Friend's attention, as I do not wish to misrepresent him—["Hear, hear!" *and laughter*]—Gentlemen opposite laugh; they are not to suppose that because Colleagues have separated, their friendship ceases. I know that in some Parties Colleagues cannot separate without animosity, but that is not the case with us. My right hon. Friend and we have parted without any feeling of that description, and, therefore, I am sure he will admit that I am endeavouring accurately to state the case. My right hon. Friend stated, amongst his first conditions, that he would have consented to the release of the "suspects," if he considered they had given a sufficient pledge; and the whole question was, what was a sufficient pledge, and was the one given sufficient? And the whole of this mystery, and of this imputation that we were doing a dishonourable thing, to which my right hon. Friend would never have been a party, is a thing totally without foundation. My right hon. Friend went with us the whole way, endeavouring to ascertain the views of these Gentlemen through this wicked course of dishonourable proceedings that we took, and we parted company simply because out of 14 Gentlemen, one Gentleman thought the assurance not sufficient, and the other 13 thought it was. That is the whole history and all the "infamy" of this wicked and mysterious transaction. But, then, it is said—"How profoundly immoral it is, that you are seeking and desiring to obtain the aid of those men to keep the peace in Ireland." I said the other day, and over and over again, and I will be judged by the country whether it is dishonourable, that in the present state of Ireland we should seek and desire the assistance of every man. [*Cries of* "Even Mr. Sheridan!"] Yes;

I know nothing of Mr. Sheridan. I have not heard of him in my life. But if he is likely, whoever he may be, to be found ranging himself on the side of peace in Ireland, I am very glad to hear of him—I am very glad to hear of any man who has taken any part—whatever part it may have been—in causing disturbance and disorder in Ireland—that he is ready to take part on the side of peace and order, instead of taking the part that the right hon. Gentlemen opposite have taken to-day in endeavouring to inflame the condition of Ireland. ["Oh, oh!"] Yes; talk of a lurid light, as the hon. Member for Hertford and his Friends have done. Why, if such a light exists, it springs from the brimstone of their own making. I should have thought that Conservative statesmen would have desired, at the present time, to have rallied all the force that could be obtained from every quarter to restore peace and tranquillity in Ireland, instead of indulging in these bitter taunts, instead of this desire to drive away from the cause of peace and order every man, and to use every weapon, simply with regard to the consideration of how it may tend to injure their political opponents. I have now endeavoured to state precisely the view the Government took with reference to the release of these "suspects;" and now let us see whether the course that they took was the correct one. So far as the machinery was concerned, my right hon. Friend behind me (Mr. W. E. Forster) was entirely at one with us. What, in fact, occurred? Why, this—that a Gentleman, whom we knew to be in a position of close personal intimacy with the hon. Member for the City of Cork (Mr. Parnell), said he had strong reason to believe that that hon. Gentleman, so far from desiring to inflame and propagate and continue the existing disorder in Ireland, was perfectly willing to use his influence in favour of peace and order. Had you a right, if you believed that, to keep that hon. Gentleman in prison? I say no, distinctly. If you believed that, you had no such right; and I am sure my right hon. Friend the Member for Bradford agrees with me in that. The only question is, whether we did believe it, and whether we had reasonable ground for so believing. Now, the hon. Member for County Clare (Mr. O'Shea) did undertake that friendly office, and he brought us assurances on the part of these Gentlemen that they were desirous and willing to use such influence as they possessed for the purpose of restoring tranquillity in Ireland. I say, first of all, if that is the case, we had no right to keep them in prison. You did not want any compact of any kind as to the release. There was to be no consideration by any Party. ["Oh, oh!"] I say, without any compact whatever, we were bound, in law and in honour, if we believed that, to release these Gentlemen—[*Ironical Opposition cheers*]—and I expect to be believed when I say that, on behalf of the Gentlemen who do not cease to be men of honour because they are Ministers of the Crown, that we did entertain that belief, and acted upon that belief, and no man in this House has a right to say otherwise. There is no man who has a right to say that is untrue, and to make charges against the Government on that point. You may charge us with having been credulous, you may charge us with having been imprudent; but when we tell you that, upon the information which we received, we believed that the hon. Member for the City of Cork and his Friends honestly intended to use their efforts in favour of peace in Ireland, I say you have no right to say you discredit that assertion made by men, I will venture to say, and say no more, who are equal to the rest of this House. If that be so, what is the charge brought against the Government now? Why, it was not for my right hon. Friend the First Lord of the Treasury to bring out all the private conversations and all the letters that had passed, and which had led the Government to this conclusion. It is all very well to make inflammatory speeches on the subject, and to level charges of dishonourable attempts at concealment in this matter; but all the transactions in life, by which people arrive at conclusions, arise out of private conversations and communications of this kind. Everybody knows that is so. The question we had to arrive at was—Was the liberation of these Gentlemen justified by a *boná fide* statement that they would assist the cause of law and order in Ireland? We were bound to satisfy ourselves on that subject, and we satisfied ourselves as well as we could; and we did desire of the hon. Member for Clare that this course should not be based on mere loose conversation, but that the hon. Member for the City of Cork distinctly should make that statement, as he did make it in the letter which he handed to the hon. Member for Clare, and which was placed before us. The right hon. and learned Gentleman opposite (Mr. Gibson) has asked for a frank and honourable explanation. I have made as frank an explanation as I know how to make it. I confess I have not consciously kept anything back, and I feel nothing of which I am ashamed at all. We had to consider two things—one personally affecting these Gentlemen; and the other affecting the state of Ireland. As to the first, we had to consider whether these Gentlemen were righteously in prison. If they were the enemies of law and order in Ireland, they were, under that Act, righteously in prison; but if they had ceased to have a disposition to be enemies of law and order, and, on the other hand, were disposed to use their exertions to restore law and order in Ireland, then they were not righteously in prison, and the Government were not justified in keeping them there. So far as regards the personal relations of these Gentlemen. But we also, and we do not dispute it for a moment, had in view the general condition of Ireland. And, Sir, unhappy as the condition of Ireland is now, and terrible as is the disaster which has occurred, and which we all deplore, I say it most seriously to hon. Gentlemen opposite, do you believe, that when the dreadful event of last Saturday took place, it was better or worse for Ireland and for England that the "suspects" should be at large, or would it have been better that they should have then been in prison? I would ask my right hon. Friend the Member for Bradford, does he think the effect in Ireland would have been better if the "suspects" had been detained in prison? If he does think so, I must say again, with reluctance and distrust, that I am obliged to come to a different conclusion from that at which he has arrived. This is a time, in my opinion, when every man ought to desire, and see no shame in desiring, that the Representatives of the popular Party in Ireland should co-operate with all the forces which are ready to assist in restoring peace and order. Therefore, those taunts which some hon. Members have made seem to me to have only the effect of increasing the evils which we deplore, and I think they ought to be avoided. There is one other point that I have been asked about, and that is the release of Davitt. I again wish to deal quite frankly with the House. Whether the hon. Member for Clare did at any time or not mention that it was very desirable that Davitt should be released, I cannot charge my memory with; but this I know, that the question of the release of Davitt was dealt with as a totally different question from that of the release of the Members of this House—it was dealt with several days subsequently to the cases of the hon. Members, and never was discussed or treated as a part of the same transaction. I am certain upon this matter. There has been some strong commentary upon the memorandum read last night by my right hon. Friend (Mr. W. E. Forster) of his conversation with the hon. Member for Clare. As regards that, the hon. Member for Clare will have an opportunity of saying what he has to say upon it. Anyhow, it would not be my duty, any more than it is my desire, to criticize in any way anything that my right hon. Friend has done. He is far too good a judge, and has had far more experience in public life than I have had. The only thing I would venture to say is this—that I have always understood that when a memorandum of a private conversation is made, that it is always safer, before it is read in public, to submit it to the other party with whom you have had the conversation, in order to know whether he acknowledges the accuracy of it. I believe that is the universal practice in diplomacy. When one Minister sees another, he writes to his own Government to give his account of a conversation, and, in order that there should be no misapprehension on the subject before it is made public, it is always submitted to the other side to know whether it accurately represents what has occurred. Now, Sir, though I am afraid that in the opening observations which I made I may have indulged in some warmth, which was undue, perhaps, and must be forgiven when Gentlemen who, under circumstances not very easy, are endeavouring to do their duty, are charged with infamy and dishonour, I do not desire to conclude this discussion in any violent or inflammatory language. I feel a great deal too touched with not only the difficulties in which the Government are placed, but the difficulties in which the country is placed, not to recoil from any language which might make things worse than they are. I know the temptations are very great — and I daresay that we may have yielded to them ourselves—to make political capital out of situations like this. I say it in no spirit of deprecation; but I do ask hon. Gentlemen, to whatever Party they belong, to consider whether at this moment, by imputing to the Government such charges as have been made to-day, which are not brought to the test of a division, they are strengthening the hands of the Government itself, or giving a fair chance to England and to Ireland in the present situation? If you think—and I daresay a great many of you may think, and do—that the present Administration are not fit to be intrusted with the conduct of affairs—["Hear, hear!"]—well, that is an opinion that I know you entertain—it is very reasonable you should entertain it; but, then, give effect to that opinion. But above all things, in my opinion, the most unwise is to keep the Government in Office in such a situation as that in which the present Government stands, and at the same time to endeavour to discredit and weaken it. Nothing can tend more to the injury of the country and to the destruction of those institutions which are as dear to you, I know very well, as they are to us. I have endeavoured, as far and as frankly as I can, to tell the whole truth as it is in my mind, and to state all the grounds and reasons on which the Government have acted. We had no hesitation about it. We considered that we had nothing whatever to conceal. We had a fact which we desired to ascertain. It was whether those Gentlemen who have been released from prison would or would not help in restoring peace in Ireland. We satisfied ourselves that they would do what they could in that direction. We thought then that it would be our duty to release them; and, under those circumstances, we thought it would be better for Ireland, and not worse, that they should be at large. That is the ground upon which we have acted. If we are wrong in that, condemn us for it. Condemn us for the error of judgment—of a judgment honestly and deliberately made; but do not let the House be guilty of the injustice of imputing to men, in the position of public danger and difficulty in which we stand, that they have been actuated by intentions and by conduct which is unworthy, not only of English Ministers, but of English Gentlemen.

LORD JOHN MANNERS said, the speech of the right hon. and learned Gentleman who had just sat down (Sir William Harcourt) reminded him of the saying about March—it came in like a lion and went out like a lamb. The vituperation of the right hon. and learned Gentleman, when he commenced his speech, as well as that of the Prime Minister, was excessive. In fact, the feebleness of the arguments of both those right hon. Gentleman was only to be judged by the excessive strength of their vituperative language. The right hon. and learned Gentleman had concluded his speech by challenging everybody who presumed to think that in that transaction the conduct of Her Majesty's Ministers had not been characterized by prudence, to propose a Vote of Want of Confidence. But that was a resort which he (Lord John Manners) noticed a Government in difficulties was very apt to fly to. If his memory served him rightly, already in the present Session twice had Her Majesty's Government procured, either by themselves or by friendly agency at their back, Votes of Confidence in themselves; and, although those Votes of Confidence wastefully consumed something like a fortnight or three weeks' valuable time of the Session, the result, so far as the division went, was not, perhaps, highly satisfactory to the Government. Having, however, obtained a majority, they appeared to be very well satisfied with that subdued mark of confidence. He had no doubt the advice of the right hon. and learned Gentleman would be taken into serious consideration. Towards the conclusion of his speech the right hon. and learned Gentleman said he had spoken with perfect frankness. He (Lord John Manners) quite agreed with him. He made no charge whatever against the right hon. and learned Gentleman for want of perfect frankness. So far as he could judge, in the absence of the Papers, which, perhaps, the Prime Minister would allow them to see some day, the right hon. and learned Gentleman had told a plain, unvarnished tale of these mysterious transactions. But what did the speech of the right hon. and learned Gentleman prove? It proved, to his (Lord John Manners') mind, that the highly-coloured and indignant contradictions of the right hon. Gentleman the Prime Minister were not sustained by the more cautious statement of the Secretary of State for the Home Department. "How," said the right hon. and learned Gentleman, "could we keep the 'suspects' in prison, if we had reliable information that they were willing, on their part, to become obedient and law-abiding subjects of the Crown; and, more than that, that they were willing to co-operate in the maintenance of peace and order in Ireland?" The right hon. and learned Gentleman said the Government received information to that effect. Well, what was that information? By whom was it conveyed? In what document was it conveyed? It was conveyed in that document which was then public property—that letter of the hon. Member for the City of Cork. But the right hon. and learned Gentleman, throughout his speech, gave the House to understand that the statement made by the hon. Member for the City of Cork was a plain and simple statement, pledging himself and his Friends to the maintenance of peace and order, without any reference to any terms that were to be exacted by the Government.

SIR WILLIAM HARCOURT: I beg pardon. The word "pledge" I quoted for my right hon. Friend the Member for Bradford.

LORD JOHN MANNERS said, it was quite immaterial. The condition, or understanding, or whatever it might be called, on the part of the hon. Member for the City of Cork, was a simple understanding that he and his Friends were not only to become law-abiding subjects, but were to help materially the Government in the maintenance of law and order. Making no reference whatever to the counter conditions contained in the letter, he would put this to the right hon. and learned Gentleman, and he thought it was a crucial test. Did he believe that the hon. Member for the City of Cork would ever have consented to come out of Kilmainham on condition that he should support law and order, and to help the right hon. and learned Gentleman and his Colleagues to maintain order in Ireland, unless he had a distinct understanding on the four points mentioned in his letter? [Sir WILLIAM HARCOURT: What four points?] The misfortune was that they had not got an official copy of the letter before them; consequently, he could only speak from memory. But he thought that the first matter mentioned in the letter was the question of Arrears; the second, the alteration of the Tenure Clauses; the third, the Purchase Clauses; and the fourth, Leases. The letter containing the information of the admirable intentions of the hon. Member for the City of Cork also contained that on which these admirable intentions were based. Again, he repeated his question to the right hon. and learned Gentleman the Secretary of State for the Home Department, or to the right hon. Gentleman the President of the Board of Trade, whose part in these transactions still remained somewhat of a veiled mystery—Did he believe that the hon. Member for the City of Cork would ever have accepted his release from Kilmainham, and have given a promise to maintain peace and order in Ireland, had it not been for the corresponding conditions stated in the letter? He did not know whether the right hon. and learned Gentleman read in the newspapers what took place on the other side of the Atlantic; but he might have read a very important speech delivered, not many days ago, by a near relative of the hon. Member for the City of Cork, in which it was stated, most distinctly, that the hon. Member would never have consented to leave Kilmainham but for those conditions which he had secured for the people of Ireland. The right hon. and learned Gentleman the Secretary of State for the Home Department, in his frank and clear statement, had admitted the whole case with reference to these transactions. The hon. Member for Hertford (Mr. A. J. Balfour) would permit him (Lord John Manners) to say that he had, in the course of his observations, made one slight historical mistake. He had said that never in the Parliamentary annals of that country had there been any such infamous transaction. No doubt, no present Member remembered the details connected with the Lichfield House compact of 1835; but there was a great phase of similarity between the Lichfield House compact of 1835 and the Treaty of Kilmainham of 1882. Perhaps the best and fullest account of those mysterious transactions was to be found in the interesting work of the hon. Member for Finsbury (Mr. W. M. Torrens), in his *Life of Lord Melbourne.* The hon. Member for Finsbury was very favourable indeed to his hero, and he said everything he could to diminish the force of popular opinion against the negotiations which prevailed between the Liberal Party and the Leaders of the Irish popular Party. What he said was this—

> "Without the support of the Irish popular Party it was obvious that no Liberal Ministry could stand."

That was a curious historical statement, and he (Lord John Manners) was not prepared to contest its truth. The negotiations went on, and Lord Melbourne and his Colleagues found difficulties in the way of bringing to bear the compact which had been entered into at Lichfield House. The book he had quoted went on to say that—

> "Rumours quickly reached the Palace that the man whom the King had been advised to denounce from the Throne as an incendiary was about to be proposed to him as Attorney General."

He (Lord John Manners) had heard no proposals to confer high Office upon the hon. Member for the City of Cork. But then no one had ever accused O'Connell of having committed the crimes and offences which were alleged to be the reason for which the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had shut up the hon. Member for the City of Cork in prison. The utmost that he was called was an incendiary; yet the feeling in O'Connell's case was so strong in the then Liberal Party, and so much stronger in the country against them, that the negotiations for reconciling the popular Irish Party with the Liberal Party broke down, and that highly respectable Member of Parliament—the prototype of the hon. Gentleman the Member for Glamorganshire, who "sat up aloft to look after the soul of poor Jack"—that highly respectable Member, Sir Edward Ellice, was deputed by the Government to go to Mr. O'Connell and explain to him why it was impossible, in the state of public feeling in England, to give him those considerations which he had undoubtedly been led to expect as the result of the Lichfield House compact. The parallel was not exactly accurate; but there were striking features of similarity between that case and the present. There were the attempted concealment, the negotiations, and now the bickerings and the apparent disappointment on one side and the other. In the present case, the popular feeling was such that Her Majesty's Government were obliged to postpone these four measures by which they hoped to obtain the support of the hon. Member for the City of Cork, and, owing to that state of public feeling, to substitute for them a measure of a totally different character. He did not think it was necessary to pursue this subject further. One word more. The right hon. and learned Gentleman the Secretary of State for the Home Department had said that it was their duty to combine—that it was the duty of every class and every shade of opinion to combine—to rally now at the supreme hour to the cause of peace and good government in Ireland. The right hon. and learned Gentleman even went so far as to welcome by name Mr. Sheridan as a cooperator in the good work. On the other hand, he (Lord John Manners) ventured to say that it was impossible to conceive anything more calculated to dismay the loyal and dishearten the courageous, to alienate and disgust the people of England, than this truckling to men, of whose antecedents there could be no doubt, and of whom there could be no reasonable doubt that they were men from whom every Government that respected itself would shrink, and from whom, he should have thought, judging from the impassioned denunciations of the Prime Minister, the Secretary of State for the Home Department, and the Attorney General, every Government would wish to shake itself free. He was convinced that when the report of this debate went forth to the country, the explanations, the apologies, and the statements of the Prime Minister and the Secretary of State for the Home Department would be read with unfeigned amazement and with bitter regret and shame.

Mr. W. E. FORSTER: Sir, this discussion has been a painful one to me, and I should not have thought it necessary to prolong it by any remark of mine, had it not been for one or two words that fell from the Secretary of State for the Home Department. I think his speech was a moderate one, and was well calculated to bring back the House to the important public considerations which have been rather lost sight of in personal matters. At the beginning of his speech, he certainly was rather strong in his statements; but I do not think he was stronger than the House naturally expected, and he was reasonably justified by the charges made by the hon. Member for Hertford (Mr. A. J. Balfour), which I think hereafter that hon. Gentleman will regret. The remarks of the right hon. and learned Gentleman to which I refer are some that rather affect my own personal honour. He said, in the most kind and considerate manner, that he expressed a doubt whether I ought to have read the memorandum of the conversation between myself and the hon. Member for Clare (Mr. O'Shea) without having first submitted it to the hon. Member. Undoubtedly, if I had first introduced the subject of that conversation, if I had been the person who had alluded to it, that remark would have applied. For instance, I imagine that I should have been failing in my duty if, when Her Majesty gave me permission to explain the cause of my resignation, I had alluded in terms to a conversation which I reported to the Government. I did not do so, and never should have thought of doing so, and never should have made the slightest allusion to it, if the hon. Member for Clare had not done so himself; but when he had done so, I felt myself bound, with regard to my own honour, to state what I remembered of that conversation; and I thought it would be much better to read a memorandum, which I made instantly after the hon. Member had left, than to attempt to give my own impression of what the conversation had been after several days had elapsed. The hon. Member said I put a gloss upon the conversation. I do not suppose he thought I did so intentionally. But, to the best of my recollection, it is exactly correct; and certainly I made the memorandum under the strongest possible influence in my own mind to give an accurate and exact account to my Colleagues of what had happened. I do not know that I need allude to the question which I put yesterday to the hon. Gentleman the Member for the City of Cork (Mr. Parnell); but I think it will be admitted that I could take no other course. His letter had been given to me to give to the Cabinet; and if I had allowed it to become as read a public document, when I knew it was not the letter I gave to my late Colleagues, I think I should have been to blame. I could not allow this private letter to become a public document if it was not the actual letter itself. The hon. Member for Clare said, last night, that a day or two after he had written the letter he had seen some Member of the Cabinet, and that something took place which amounted to a withdrawal of a particular part of the letter. I never heard of that interview. If anything took place between the hon. Member for Clare and any Member of the Cabinet as to the withdrawal of the letter, it must have taken place after I left the Cabinet. I have only one or two other remarks to add. My right hon. and learned Friend was perfectly correct in stating the grounds which I had taken with regard to the release of those who were in prison under the Protection Act, and that was that if I thought they could be released with safety they ought to be released; and, in fact, we should have no justification in retaining them. I stated that one of the conditions which applied specially to the hon. Gentlemen was a promise that they would not break the law. I should be very sorry to say anything offensive to these hon. Gentlemen, and I repeat what I said before, that I was willing to take their word; but there was also reason to think that a promise not to break the law would have taken from them the power to break it. My right hon. and learned Friend says that his Colleagues think they had got that promise. I did not. I must demur to his statement, which I am perfectly sure is the most sincere opinion of himself and the Prime Minister and their other Colleagues, that the terms contained in this letter are anything approaching to a promise that the hon. Members would give any assistance towards maintaining order. It was all conditional upon a certain thing. The real difference between me and my Colleagues was this—I thought a mere conditional statement that if the Government did certain things, certain persons would do a certain thing, was only a promise that, in a certain event, they would do it, and was, in fact, to my mind, an aggravation of their offence. I do not know that I should have held that view so strongly if it had not been for my Irish experience; but I was perfectly certain that it would be so regarded in Ireland. Hon. Members talk about confidential communications. Well, these letters were confidential communications; but there was no reason at all why, as between the hon. Member for Cork City and the hon. Member for Clare, everything should not come out. From the beginning, I thought everything would come out, and I therefore had to consider what would be the effect in Ireland. I must repeat—and I trust my own opinion may turn out to be wrong—that the Government, having kept these persons in prison after having reason to believe they had instigated a law-breaking agitation, that they were still doing so, and that the effect of that law-breaking agitation had been the most serious—intimidation followed by outrages—if the Irish people found we had merely let them out on the terms that they would refrain from such a course on the condition that the Government did something, I was of opinion, and am still, that the Irish people would consider that a very great weakening of the Government. It was, no doubt, an honest difference of opinion between me and my late Colleagues; and I do not think that such a difference of opinion is, in the slightest degree, open to the strong charges made, and which I must be allowed to say are not so much calculated to do good in Ireland as they are to be of some advantage to Party contests here. I have no more to say upon the matter. It was not without much consideration that I alluded to the conversation between myself and the hon. Member for Clare; and I should not have done so had it not been that his previous allusion to it made some allusion to it on my part absolutely necessary.

Sir WALTER B. BARTTELOT said, that the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had, on each occasion on which he had addressed the House, made it more and more clear what were the exact circumstances that guided him in his severance from the Government. But there was one matter which had not yet been explained, but which he (Sir Walter B. Barttelot) thought ought to be explained before the debate closed. The hon. Member for the City of Cork (Mr. Parnell), with a forgetfulness not at all usual with him, having read a so-called copy of a letter that had been written by him, had omitted to read a paragraph, the importance of which could not be overrated. He (Sir Walter B. Barttelot) was not going to abuse the hon. Member for the City of Cork, or charge him with wilfully withholding from the House the contents of the letter; but it was singular that so cool and calculating a man as the hon. Member undoubtedly was should have omitted to read the most important sentence in the letter, and then, when called upon for an explanation, should have said he did not keep a copy of the letter, referring, as it did, to a never-to-be-forgotten transaction. He had in that House left out that paragraph deliberately, and left it out for a purpose. ["Oh!"] There must have been some reason for that omission of the paragraph. Rumour sometimes spoke wildly, and must, therefore, be accepted with some degree of hesitation; but the hon. Member for Clare (Mr. O'Shea) could say whether, in the present instance, she spoke truly, as she sometimes did. Would the hon. Member for Clare, too, say whether there was any truth in the rumour that he had shown the letter to the President of the Board of Trade, and that the President of the Board of Trade carefully read the letter through, and suggested that the last paragraph should be omitted from the letter? The explanation was that the letter contained certain conditions, and went on to say that, if those conditions were fulfilled, the hon. Member for the City of Cork and those acting with him would be released in order that they might give their support to the Liberal Party. That was the sentence which was expunged; and had it not been that the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had a copy of the letter, the House would have been in absolute ignorance of the last sentence of that letter. When the hon. Member for Cork City read the letter, and the question was raised as to whether there was not something more in the letter, and which something more had not been read, neither the Prime Minister, nor the President of the Board of Trade, nor any other Member of the

Government had the manliness or the courage to get up and say that there was a paragraph in the letter to the effect that if certain concessions were made to those in Kilmainham, they would give their support to the Government. But he would go one step further. There was another provision, one relating to Mr. Sheridan, the very man who had been connected with the hon. Gentlemen now sitting in that House in preaching sedition and outrage. ["No!" *from the Irish Members.*] It had been openly stated by the late Chief Secretary for Ireland that he (Mr. Sheridan) had done so; and yet he was to be one of the persons to assist in conciliating the people of Ireland and in putting down outrage in Ireland as an ally of the Government. He (Sir Walter B. Barttelot) repeated, that the late Chief Secretary had openly stated that that gentleman was openly preaching sedition and outrage; and yet he and the hon. Member for the City of Cork and the others released from prison were to be the allies of the Government, and that was the accusation those sitting on that (the Conservative) side of the House now made against the Government. But the Secretary of State for the Home Department had asked what would have happened if the "suspects" had been in prison when the atrocious crime of last Saturday week was committed? He would venture, in reply, to ask the question—What good had the release of the "suspects" done towards finding out the murderers who had committed the recent atrocious outrages in Ireland? ["Oh!" *from the Irish Members.*] It was all very well to cry "Oh!" but they had said they would express throughout Ireland their horror and detestation of the crime; and he (Sir Walter B. Barttelot) and those who agreed with him had a right to ask what had they done in accordance with the promises that had been made? Had any one of them gone to Ireland, and had they denounced at every Land League centre the atrocious crime that had been committed? That was what they had promised to do. That promise had not been fulfilled. He would go a step further. Why had the new Coercion Bill been introduced in such a tremendous hurry? And why should the Government be in such a hurry to press the Bill without delay? If the Government knew the state that Ireland was in, they ought not to have released the "suspects" without taking from them some security that the peace of that country would be kept. In introducing his Bill on Thursday the Secretary of State for the Home Department had told them that since the horrible murders of last Saturday week the whole state of Ireland had changed, and that the country was suffering from a cancerous disease which must be extirpated. He wanted to know whether there was any connection between the Land League, the Home Rule Association, the Ribbon Society, and the Fenians; and if there was any bond of union between these various bodies, what that bond of union was? What did they want? Only the other day, in his letter to *The Times*, the hon. Member for Dungarvan (Mr. O'Donnell), before the foul crime of Saturday week was committed, warned the Government that outrages were likely to occur, and spoke of the people who were evicted on the hillside; but he (Sir Walter B. Barttelot) wished to ask that hon. Member what more he knew about what had happened, and on what ground the hon. Member had taken upon himself to warn the Government? They had a right to ask that question.

MR. O'DONNELL: I rise, Sir, to ask leave to answer the question of the hon. and gallant Baronet.

SIR WALTER B. BARTTELOT said, that the hon. Member would have ample opportunity of answering when he had sat down. He had made no accusation against the hon. Member. ["Oh!"] What he (Sir Walter B. Barttelot) had stated, he had read in a letter written by the hon. Member for Dungarvan; and what he wished to know was, how he (Mr. O'Donnell) knew that there was danger in Ireland, when peace and tranquillity had been promised? What were the objects and aims of those Gentlemen who now professed that peace and order in Ireland could be restored by their means? Did they want a Parliament on College Green; or did they want separation from this country? [*Cries of* "No!"] Well, one of their leaders in America pointed out that the ultimate goal of their movements in Ireland was separation from England. Nothing could have been more mischievous, in the light of the late disastrous events, than the recent speech of the Prime Minister, in which he talked of Home Rule. But the English people were determined that, while prepared to do justice to Ireland, and everything that was reasonable, right, and fair, they would at the same time never agree to separation, and with their last man and their last pound they would fight against it, determined to maintain, at all hazards, that Union which had proved so beneficial to all in the past. It had placed them in the high position they now occupied amongst the nations of the world.

Mr. CHAMBERLAIN: Sir, I shall not detain the House at any great length, as it appears to me the discussion has proceeded to a sufficient length; and, further, because I think the conduct of the Government has been clearly and satisfactorily explained by my right hon. Friends who have preceded me. But there are one or two points on which I should like to say a few words, and one is in the speech of the hon. and gallant Baronet who has just sat down (Sir Walter B. Barttelot), upon which I think I ought to correct him. I am almost sorry to take away from him the satisfaction which he always appears to feel when he thinks he has discovered a new fault on the part of the present Government; but I assure him that the rumour to which he attaches so much importance has not the slightest foundation in fact. I did not suggest to the hon. Member for Clare (Mr. O'Shea) that he should withdraw any sentence whatever in a letter not written by him, but by another person; but it is true, as he stated last evening, that he did, in conversation with me, after he had sent the original letter to my right hon. Friend the late Chief Secretary for Ireland (Mr. W. E. Forster), and when he was giving me a copy of that letter, say that he thought there was one sentence which might give rise to misapprehension, and which he would wish to withdraw. I must say that I did not pay very much attention to that statement of my hon. Friend, because I could not see what authority he had to withdraw any part of the letter. No doubt, he was on very intimate terms of friendship with the hon. Member for the City of Cork (Mr. Parnell), and I suppose he considered he had authority to make alterations in a letter written by his hon. Friend; but, as I have said, I did not consider the matter of sufficient importance, and it escaped my memory, the result being that I did not mention it to my Colleagues. So far as my Colleagues were concerned, the letter, when it came to them, was as forwarded to my right hon. Friend the late Chief Secretary for Ireland; and when the hon. and gallant Baronet the Member for West Sussex said we were without courage, and asked why we did not immediately check the hon. Member for the City of Cork when he read the letter without that passage, I say that I have no right to speak for my Colleagues, but I imagine it was quite impossible that they should have at the moment recollected the existence of the sentence in a letter of that kind; and certainly, as I said before, I now again say for myself, in the face of the House, that although that was the sentence about which the hon. Member for Clare had spoken to me as that which he desired to have withdrawn from the letter, yet the circumstance made so little impression on me that when the letter was read by the hon. Member for the City of Cork I had not the slightest idea that it was from that letter that any sentence had been withdrawn. My right hon. Friend the late Chief Secretary for Ireland has made a statement, which, I think, is confirmatory, on the whole, of the statement made to the House by my right hon. and learned Friend the Secretary of State for the Home Department. The right hon. Gentleman the Member for Bradford has pointed out the difference between himself and his Colleagues with respect to this matter, which was that we thought we had a sufficient assurance of the intentions of the hon. Member for the City of Cork, whereas he thought the assurance given was not sufficient. That is the whole point of the difference. ["No, no!"] Surely it is not to be supposed that hon. Gentlemen opposite know better about that point than the Ministers themselves. But my right hon. Friend went on to say that the reason why he did not think this letter, which is now in the possession of the House, was sufficient, was because the letter was conditional. Now, I must say, to my mind, that was hardly a fair statement of what I understand to be the views of the hon. Member for the City of Cork, as they were conveyed to us in this letter, as they were expressed to us in conversation with the hon. Member for Clare, and as they were expressed, also, in other communications which were received. In reference to the matter, take the letter as it stands before the House. The hon. Member for the City of Cork wrote—

> "If the Arrears Question be settled upon the lines indicated by us, I have every confidence—a confidence shared by my Colleagues—that the exertions which we should be able to make, strenuously and unremittingly, would be effective in stopping outrages and intimidations of all kinds."

That statement is absolutely consistent with everything said to me by the hon. Member for Clare in the conversations I had with him with regard to the opinions of the hon. Member for the City of Cork. I was told again and again, and I have no reason to doubt it, that the hon. Member for the City of Cork, when he was in London, passing through to Kilmainham, had expressed to several hon. Members of this House, and to everybody who was brought into contact with him, his views that the outrages which were going on in Ireland were to be regretted by every patriotic Irishman; that they were, in a large measure, the result of evictions, which evictions were themselves the result of arrears. If the Arrears Question could be settled, and evictions stopped, then it would be possible for him and his Colleagues effectually to do that which they had always been willing to do, but which, up to that time, they could not do effectually—namely, to urge upon all those over whom they had influence that outrages, for which there could be no possible ground of excuse, should cease. The hon. Member was of opinion that, if the Government brought in a Bill which would deal with Arrears effectually, it would be his duty, and the duty of his Friends, to use every possible exertion to point out to the tenantry of Ireland that a fair settlement of their grievances was now offered to them, and to urge on them, in the strongest possible language, that the disorder and the outrages which they had always regretted should be put down. What is the position of the Government? The hon. Member for Cork City, through the hon. Member for the County of Clare, placed us in possession of his mind on this subject. There was no condition whatever made or suggested by the hon. Member for the City of Cork for his own release. It has been said he must have known that would have followed. It is certainly possible that might have been in his mind; but all I know is, that never, throughout any of these conversations, was there anything said indicating on the part of the hon. Member any anxiety whatever as to his own personal position. The statements he made I have already repeated to the House. The Government had had forced on their consideration—I might say months before — that question of Arrears, and it was in their minds that, as soon as time permitted, it should be dealt with. The only difficulty was the way in which it should be dealt with. What is the complaint against us? Is it that we have dealt with it? That could hardly be the case. No; the complaint against us is—that having looked at this matter with the most serious consideration which we could give to it, and having carefully considered alternative plans, we honestly came to the conclusion that the plan proposed by the hon. Member for New Ross (Mr. Redmond) was the best plan, and we accepted it. But why were we to refuse to consider or adopt a plan proposed by the hon. Member for New Ross, if we thought it was really the best plan? If the settlement of the Arrears Question was, as we believed, absolutely necessary, we were in this position—that we knew that the condition which the hon. Member for the City of Cork had expressed as being in his opinion necessary to the pacification of Ireland would shortly be fulfilled. We knew also that the hon. Member for the City of Cork was under a distinct promise, conveyed by my hon. Friend the Member for the County Clare, to use his best exertions; and he stated also that his Friends and his Colleagues would use their best exertions to induce the tenantry to accept this as a settlement of their grievances in connection with the Land Question. Under these circumstances, it was absolutely impossible for the Government to conclude that the continued imprisonment of the hon. Member for the City of Cork and his Friends was any longer necessary for the security of Ireland. On the contrary, we believed that the release of those prisoners would contribute to the peace of Ireland. We believed it then, and we believe it still. And I, for one, am quite content to rest on the future, and see whether the future action of the hon. Member for the City of Cork and his Colleagues does not justify the opinion we have formed. The noble Lord who spoke earlier upon this question (Lord John Manners) made a statement, which was an absolute contradiction to the statement made by the Prime Minister, and confirmed by my right hon. and learned Friend the Secretary of State for the Home Department. The hon. Member for the City of Cork, the noble Lord said, would never have assented to the proposals of the Government without the knowledge that the Government were previously prepared to concede the four points, which the noble Lord proceeded to describe; and from that he concluded and asserted that the Government had pledged themselves to concede four points. That statement was absolutely without foundation. The Government did not pledge themselves to concede four points. They did not pledge themselves to concede any point. The Government came to a perfectly independent conclusion as regarded the settlement of Arrears, not as a concession to the hon. Member for the City of Cork, but on their own judgment, after consideration of the various proposals which had been made. The other three questions were not included in the conditions named by the hon. Member for the City of Cork, conditions precedent, in his mind, to the re-establishment of order in Ireland. The one point to which he attached supreme importance was the question of Arrears. The other three points he considered of great importance, and so do I; and matters which deserve the fullest Parliamentary discussion, and so do I; but no pledge whatever has been given to the hon. Member for the City of Cork, or anybody else, that the Government will deal with those questions, and when the hon. Member was released from prison, he was absolutely unaware whether the Government would deal with any one of the four, or if they dealt with any of the four in what way they would deal with them. There is one other matter of which I wish to speak, and that is that a great deal of importance has been attached naturally to the memorandum of conversation held between the hon. Member for Clare and my right hon. Friend the late Chief Secretary for Ireland, and especially to the words which appear in my right hon. Friend's memorandum of the conversation, to the effect that the hon. Member for the City of Cork had so arranged matters that the conspiracy or organization—for I do not think it matters much which word was used—which had been used in getting up outrages would now be used in putting them down. It was asked what effect that had produced on Members of the Cabinet? I can only speak for myself, and I can only say that I did not attach much importance to it, and for this reason—it appeared to me on the face of things absolutely impossible to suppose that the hon. Member for the City of Cork, who has been described here as a cool, calculating person, and whom we all know to be a Gentleman of great ability, would have committed the supreme folly of saying to anyone that the organization he had always maintained to be a legal and praiseworthy organization was at any time a conspiracy used for getting up outrages. That any man in his senses, let alone a clever man like the hon. Member for the City of Cork, should make an incriminating confession like that seemed to me so absurd, that I confess that even when it came as a report of a conversation with the hon. Member for Clare, I arrived at the conclusion that these might have been the words of the hon. Member for Clare himself—it which case it would have been a matter of small importance. [*Laughter.*] I believed they were not the words which were ever used by the hon. Member for the City of Cork, which would have been a matter of great importance. Why do I say that if those words had been used by the hon. Member for Clare it would have been a matter of no importance? Because it is perfectly well known to the House that my hon. Friend the Member for Clare, although a personal friend of the hon. Member for the City of Cork, is no follower of his. He is, on the contrary, his political opponent, so far as a great number of proceedings in which the hon. Member for the City of Cork was engaged are concerned. My hon. Friend the Member for Clare might possibly call the Land League a conspiracy or organization for getting up outrages. That may be his view of some of the actions taken by the Land League, because it is well known that he has not approved of all their proceedings; but whether he expressed himself in that manner or not seemed to me of slight importance, because he was not a political follower of the hon. Member for the City of Cork. I repeat that it seemed to me absolutely incredible that the hon. Member for the City of Cork, who has always contended that the Land League was a perfectly legal association, should have used the words attributed to him. The position of the Government is this—if information bearing upon the state of mind and the opinions of the hon. Member for the City of Cork and his Colleagues were tendered to the Government, could they have refused that information? Would they have been right to refuse it, considering that the detention of the hon. Member for the City of Cork was purely and solely because he was reasonably suspected of an intention to commit offences? Could the Government refuse any evidence whatever to the effect that he was no longer in a position in which that suspicion would have been reasonable? Could the consideration of that information have been rejected? Could they refuse to receive any evidence with respect to the state of opinion in Ireland? I say not only with regard to this information which was tendered to us by the Representatives of Irish opinion, but with regard to all other information on political affairs in Ireland, we are not only bound to receive it when offered, but it will be our duty, when it is not offered, to seek wherever we can find it. And I cannot help thinking we should have done better in the past if we had sought it more frequently.

MR. O'DONNELL said, he did not rise with any feelings of exasperation to reply to the very strong language of the hon. and gallant Member for West Sussex (Sir Walter B. Barttelot), who, on that side of the House, represented views, much the same feelings and ideas, as were represented by the right hon. Gentleman the Member for Bradford on the Government side. There was only this particular difference between them—that the right hon. Gentleman had not yet taken his seat by the side of the hon. and gallant Baronet. A question had been addressed to him as to what made him write that letter of warning, and at a time when the right hon. Gentleman, with his usual knowledge, was assuring the House that temporarily, at least, the Irish horizon was clear. He thought that the mere promise of conciliation was not sufficient to remove the deep seeds of exasperation and ill-feeling sown during the year of Office of the late Chief Secretary; but he would frankly own and admit that he never for one moment thought that the terrible blow could possibly fall upon the successor of the right hon. Gentleman. Never for one instant could he imagine that the Irish police could have exhibited such deplorable disorganization as had been manifested by their action in regard to that terrible catastrophe. The right hon. Gentleman himself was guarded by the most trusty agents of the police, and he could not even address a meeting from his hotel window in Tullamore without the presence of a magistrate on the one side of him and a sub-inspector of police on the other. If the right hon. Gentleman was so thoroughly conscious of his duties, why did he leave Ireland without taking some precautions to protect the valuable life of his successor? And if the right hon. Gentleman was so prophetic—so gifted with superior intelligence, and his superior understanding, why did he not take measures to prevent this horrible crime? The fact of the matter was that, in consequence of the prejudice naturally created by this catastrophe, the right hon. Gentleman posed as a prophet, and that without an atom of justification for it. He had already described him as a mere channel or funnel through which the information of the Irish police was poured into that House. The right hon. Gentleman, in his residence in Ireland, came into the least possible contact with the people, or with true public opinion. Probably there never was a Chief Secretary so little informed, and this was entirely due to his going about protected with swords and rifles. Why did he give the warning? It was because he believed that the Irish police were trained to suppress public opinion rather than crime, and were, therefore, powerless to prevent outrages. Unfortunately, his conception of the Irish situation proved to be the true one, while the right hon. Member for Bradford had proved to be entirely mistaken. The charges brought by the right hon. Gentleman, and repeated at a critical moment, were done so with the view of injuring the Government. They never expected accuracy of information from him. The charges he had tendered against Mr. Sheridan upon the usual police information were absolutely groundless. Mr. Sheridan was one of the Land League organizers, and he was engaged in the active work of charity practised by the Ladies' Land League, and he defied him to bring forward any case in support of his statement. The character of that gentleman had been lied away by secret informers upon such information as that upon which he had thrown into gaol nine out of ten of the men whom he had placed in prison. Mr. Sheridan had been foully slandered by the right hon. Gentleman, who had shown that he possessed no information with regard to Irish affairs by his utter failure to distinguish between true and false information. In the letter which had been read, it was stated that if the arrears' grievances were settled generously and wisely the Land League would use its influence to put down outrages; and it had, therefore, been contended that the Land League had admitted thereby that it had influence over outrages. No inference could be more false. The true inference was this—that such influence as he possessed—and he was not connected with the Land League, and had no authority over it—would be used if the Arrears Question were settled upon a large and liberal basis, such as appeared to be the intention of the Government by their Bill. The influential Members of the Irish Party practically had no influence in suppressing outrages in Ireland. These were due entirely to the threatened evictions for these arrears, and so long as thousands upon thousands of families were threatened with being deprived of their homes, so long was it likely that outrages would continue. Nor could they expect matters to mend whilst the foolish policy of coercion first, and remedy afterwards, was practised. When, however, they passed their Arrears Bill, and freed the poor people in Ireland from that which was driving them to despair, nothing could be more easy than to prevent outrage. Looking at the tone of the debate, it seemed to him that the action of the Opposition and their allies—such allies as the right hon. Member for Bradford and the right hon. Member for Ripon (Mr. Goschen)—was distinctly calculated to stir up an evil spirit in Ireland—it was distinctly calculated to set race against race. He had time after time set himself in opposition to the opinions of the House, and he did not regret this in the least, nor was he ashamed of a single word of exasperation or act that he had done. But the moment that he saw that a helping hand was held out to him by the Liberal Party he thought it his duty to grasp at it. Had that hand been extended by a Conservative Government he would as readily have accepted it. He strongly censured those Privy Councillors of the Crown who, at the moment of a great crisis—at that moment of great and trying difficulty—were doing their utmost to make the task of the Liberal Party harder than it would be, and who were doing their utmost by their calculated efforts to make government of any kind almost impossible by endeavouring to hound on the adherents of the Land League against the powers that be.

Mr. O'SHEA wished to say, for the information of the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson), that he did mention Davitt to the right hon. Gentleman the late Chief Secretary for Ireland on the Sunday in question; and the fact that the right hon. Gentleman had not entered the name in his memorandum was only another proof of his inaccuracy.

Mr. W. E. FORSTER: I did not give a note of the whole conversation.

Mr. O'SHEA said, he had no knowledge of the etiquette usual among Cabinet Ministers, and, no doubt, the right hon. Member would defend himself, if he was able to do so; but he (Mr. O'Shea) had considerable experience of the code of conduct common among gentlemen, and had never heard anything so extraordinary as the course pursued by the right hon. Member with respect to the confidential conversation he had with him. The right hon. Member said that in that conversation he had spoken to him of the Land League conspiracy being used for the purpose of putting down outrage in Ireland; but he was perfectly certain that he had never used the word "conspiracy," and had said that he had been assured the Land League "organization" would be used for the maintenance of law and order. He did not think, therefore, that he was quite as clumsy as his right hon. Friend the President of the Board of Trade seemed to imagine. The memorandum might be judged by the light of the *animus* exhibited by the right hon. Member ever since. He should say no more on the subject, because he considered there was nothing more to be said about the right hon. Member, who was disloyal to his old friends and malignant to his old enemies.

MR. W. E. FORSTER: I rise to make only one remark. I adhere to the statement that the word "conspiracy" was used.

MR. NEWDEGATE said, he thought the House was now likely to get a little behind the scenes. They had it on the authority of the right hon. Gentleman the President of the Board of Trade that he was the principal negotiator with the Irish Party; but whether it was on his own suggestion, or on the suggestion of the other negotiator, it was certain that he was a party to the suppression of the important paragraph in the letter which the right hon. Gentleman the Member for Bradford had been the means of making known to the House. He hoped the House had remarked the peculiar tone of the speech of the hon. Member for Dungarvan (Mr. O'Donnell). The hon. Member spoke with contempt of the information supplied by the police, on which the right hon. Gentleman the Member for Bradford had acted, when Chief Secretary to the Lord Lieutenant. The hon. Member said that the right hon. Gentleman knew nothing of Ireland, and that he himself possessed information which was of a far more reliable character, derived from a higher source, than that which the right hon. Gentleman could not reach. He (Mr. Newdegate) believed that the hon. Members from Ireland, who sat on the Benches near him, were not free agents. He did not believe that the hon. Member for the City of Cork was a free agent. He knew, for it had been published, whence the hon. Member derived his authority. He (Mr. Newdegate) had not the document with him, but he believed that it was in June or July last year, Archbishop Croke—[*A laugh*]—these hon. Members could not answer what they had not heard, but always laughed, as the easiest way of getting out of what they expected not to like when heard. Archbishop Croke formally inaugurated the hon. Member for Cork City as the Leader of the Land League. According to the report in *The Times*, of either the 13th of June or the 13th of July, the Archbishop told his "faithful people" that he considered the hon. Member for the City of Cork was a person of considerable capacity, and exactly adapted to lead the Land League. He was not quoting the precise words of the Archbishop, though he had several versions of them in his possession; but, on that occasion, the Archbishop assured the hon. Member for the City of Cork that he should have the full co-operation of the priesthood in promoting the Land League. The Archbishop said that, to use a common expression, the hon. Member for the City of Cork had been on his knees to him praying for the co-operation of the Roman Catholic hierarchy and the priests. These were nearly the Archbishop's words. Now, it was quite clear that they had only been dealing with the surface of the Land League movement. Archbishop Croke had virtually owned that the strength of the League was in the priesthood; and he (Mr. Newdegate) fully believed it. Indeed, it appeared to him to account for much of the conduct of hon. Members sitting near him, and for the tenour of the speech they had just heard from the hon. Member for Dungarvan. There were only a few Members of the Government then present; but he would invite the attention of those who were present to that fact. There was one lesson which the House had gained—he hoped that the House would never again have to pass such an Act as that which existed for the nominal Protection of Life and Property in Ireland—since that measure was based upon the same principle as the *Lettres de Cachet* which were issued by Louis XIV. at the suggestion of Père La Chaise, his Jesuit confessor, and upon the principle upon which the Inquisition formerly acted. That was the power of arresting and imprisoning persons without proof of guilt; the power, without proof, to examine persons imprisoned in order to obtain evidence as to matters which might vitally affect their future liberty, and perhaps their lives. The right hon. Member for Bradford, however, when Chief Secretary for Ireland, lacked the power, which the Inquisition possessed, of putting persons to death in prison, and the power of inflicting torture to extort confession. Of course, the measure failed for want of these coercive means; yet now the hon. Member for Dungarvan sought to represent the incapacity of the right hon. Gentleman the Member for Bradford as the cause of its failure. Why, if the hon. Member knew anything about the history of France or Italy, he must have known that the right hon. Gentleman had not the coercive power to bring the "suspects" to their senses, which had been possessed in France and Italy formerly over persons who were thrown into the Bastille or the dungeons of the Inquisition. In his opinion, this tampering with the worst form of arbitrary power was a disgrace to the Liberal Party of the country. True, he himself had voted for the Act, and, as he had recently told the House, he was ashamed of having done so. In fact, he was prepared to apologize to his constituents for having been betrayed into the commission of so gross an error. But when the Bill was passing Her Majesty's Government were wedded to their plan. They had a great majority at their back, and he saw no other course open to him but to vote for an Act, the principle of which he detested, or to vote against the protection of life and property in Ireland. He thanked God that the House were coming back to a more English method of treating Ireland, and that they were to have a Coercion Bill of a different character, and based, he hoped, upon different principles. He thought Her Majesty's Ministers were making a mistake in mixing up the ordinary Judges of the land with that which must be practically a military administration. The course which the English people had for generations pursued with regard to Ireland was this—if Ireland would not submit to the Common Law, that she should be made to submit to military law; the people of England and Scotland understood that alternative. He had seen Coercion Bills, modified Coercion Bills, aggravated Coercion Bills passed by the House; but the worst of all was the last; and he trusted that, however the House might be constituted, whether Liberal or Constitutional, they would never see another measure like it. [*Laughter.*] He admitted that hon. Members below the Gangway had reason to laugh; for it was they who had brought the House to such a disgraceful pass, that they could scarcely desire to disgrace it more; but if they thought that they had conciliated the people of England by the course they had adopted, some day they would find out their mistake. He promised them that they would find out their mistake. He had now been 39 years a Member of the House for the centre of England, and if he knew the people of the centre of England, he could tell them that they would let Irish Members understand that they had made a mistake. He trusted that they had done with the miserable system of intrigue and secrecy, which had grown up under that wretched measure, nominally for the Protection of Life and Property in Ireland, and that in future they would deal with Ireland as England had dealt with it in the past—tender to Ireland the same liberties that England enjoyed; but if Ireland rejected that offer, that then Ireland should submit to military law.

MR. EDWARD CLARKE considered the House was fortunate in having heard the discussion on the present Motion. Until the previous night there was a remarkable reticence on the part of the Government and their supporters. Verbal refinement had been carried to the very verge of falsehood in concealing the real character of the transaction; but, now that the papers had been wrung from the Government and their new allies, none were so frank as Cabinet Ministers, or so anxious to declare, with all the frankness of which they were capable—and the House would judge what that was—all that they knew about the matter under consideration. The last Cabinet Minister who had spoken had dropped the tone of haughty menace which distinguished the speeches of the other two Cabinet Ministers. The language with which the Prime Minister and the Home Secretary began their speeches was such as could only worthily come from men who had never indulged in vituperation against their political opponents; and they were quite indignant that they should be believed capable of the actions with which they had been charged by the hon. Member for Hertford (Mr. A. J. Balfour). A great deal had been said from the opposite Bench with regard to the use of harsh language. But those who sat on that (the Opposition) side had in their minds the memory of an illustrious Leader, whose memory they all revered, who, for the last two years of his life, had been pursued, from the Prime Minister down to the humblest Member of the Government, by the most unrelenting and bitter vituperation. And the Cabinet Minister who had last spoken was the man who said of that noble Lord that he only spoke truth by accident. It was a little too much that those who had employed such vituperation against their opponents should expect to have their own antecedents forgotten. The Cabinet Minister of whom he had spoken had given one or two most remarkable glimpses into the precise state of affairs in the Cabinet which he represented. The hon. Member (Mr. O'Shea) had not only communicated the letter to the late Chief Secretary, but had thought it worth while to submit a copy to the President of the Board of Trade, and then a curious conversation took place with regard to the particular paragraph which would pledge the three imprisoned Members in Kilmainham to Party support, which it was pretty obvious they could not give in Kilmainham Gaol. That sentence naturally attracted the attention of the right hon. Gentleman (Mr. Chamberlain), and, curiously enough, the hon. Gentleman (Mr. O'Shea) said he was prepared to withdraw it. It did not rest upon anybody's recollection why it was that that singular thing should be withdrawn. He believed that it struck the President of the Board of Trade, as it struck the Prime Minister, that that was a matter which should not be mentioned at this period. But the curious thing was that this conversation having taken place on the Sunday, and this suggestion having been made by the right hon. Gentleman, when the Cabinet considered this letter the right hon. Gentleman did not think it necessary to mention the conversation with regard to Parliamentary support. It was really desirable that the debate should continue, because, if they had got this information so far, they would probably get a full account by the time the whole of the Members of the Cabinet had spoken. The general defence of the Government was that there was no compact, as the prisoners were never told that they would be released. But the terms of the compact were formulated in Kilmainham, and were sent for acceptance or rejection, and they were accepted by the very fact of the release of the Members. The right hon. Gentleman the President of the Board of Trade had told them that when he saw the letter of the hon. Member for the City of Cork he attached no importance to it, as it came through the hands of a private negotiator, who was not a political supporter of that hon. Member; but it had been admitted that the letter contained the requisitions, a compliance with which, on the part of Her Majesty's Government, would secure for the Government the aid of the Land League in maintaining law and order, and in putting down "Boycotting" and outrage, which amounted to a confession that it was to this organization that "Boycotting" and outrage were to be traced. The Home Secretary knew that well, for, in March, 1881, when they were debating the question of the imprisonment of another public leader, the right hon. and learned Gentleman said—

> "I think the time has now come when this debate may be closed. We have heard the doctrine of the Land League expounded by the man (Mr. Dillon) who is an authority to explain it; and to-morrow every subject of the Queen will know that the doctrine so expounded is the doctrine of treason and assassination."—[3 *Hansard*, cclix. 160.]

These were the words used by one who now came down and asked the House why it should—if the good creatures who preached those doctrines were ready to aid and help them in putting down "Boycotting" and outrage in Ireland —why it should refuse their alliance? He was afraid there was not a single village in Ireland in which the impression created by this conduct on the part of the Government would not be that in order to put down lawlessness they had to invoke the assistance of the lawless themselves. He thought it would have been far better to have gone on trying against whatever difficulty to have administered firmly the government of Ireland. It had never been administered firmly. For the last two years it had been administered with alternative panic and indulgence and cruelty. Measures had been brought forward in relation to it, and then retreated from; whereas it was his opinion that if they had acted with calm and steady firmness they might have restored peace in Ireland, and have escaped the deep humiliation they were now suffering. It was an easy thing for a Minister to get up and tell an hon. Member who objected to the conduct of the Government to formulate his complaint and submit it to the House as a Vote of Censure; but, as had been shown by the right hon.

and learned Gentleman the Member for the University of Dublin (Mr. Gibson), in the present Parliament such complaints might be proved again and again without having the effect of defeating the Ministry. Why should they challenge the verdict of a jury when they knew that the jury itself was packed? Here the Government was supported not only by the hon. Members behind them, but also by the Members below the Gangway, and they had now new allies purchased by the Kilmainham compact. With these forces at their back the present Ministry would be able to defeat any Vote of Censure upon them that might be proposed in that House; but let them call a fresh jury, and see what would be the result. Before long the country ought to have an opportunity of expressing its opinion upon the conduct of the Government. Until that opinion should be expressed at a General Election, the Government would be quite safe in challenging a Vote of Censure. The hon. Member for Dungarvan (Mr. O'Donnell) had spoken in terms of reproach and invective of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) and of the right hon. Gentleman the Member for Ripon (Mr. Goschen), and had taunted the Tory Party with having found in them new allies. He (Mr. Clarke) was, for the sake of the Tory Party, glad if that were true; for the aid of those right hon. Gentlemen would enable them to counterbalance the strength of the alliance which the Government had lately purchased. He felt quite sure they would be compelled to adhere to their bargain, for the terms of it were on paper. With respect to the alleged alliance between the Conservative Party and the two right hon. Gentlemen he had named, he was not so intimately connected with the Party to know if it was true; but certainly he thought that a community of feeling between them and the right hon. Member for Ripon was a thing to be looked upon with complacency; and he did not see how it could be considered a reproach to the Conservatives that their Irish policy met the approval of a man who had a more intimate knowledge of the country than any Gentleman opposite, and only spoken what his convictions had borne in upon him. He should like the catechism of Ministers to have gone a little further. But, taking the matter as it now stood, he was satisfied with the judgment which the country would pronounce upon their conduct.

Mr. LAING said, his opinion as an independent Member might be very shortly described. It was that the discussion which had taken place appeared to be what was commonly known as a storm in a teacup. It was quite true that within the last few weeks a new and very important departure had been made in the Irish policy of Her Majesty's Government. The mistake, he thought, was in supposing that it had been made in consequence of any private negotiations, or the writing of this or that letter or memorandum, and had not been made in consequence of great and important events which were patent to the whole world. When he said the Government had made a new departure, had nobody else made a new departure? Was it not a new departure for the Conservative Party to have brought forward the Resolution of the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith), backed up by the Report of the Committee of the House of Lords, which adopted the most difficult and radical part of the Land League platform—the abolition of landlord proprietors, and the substitution of peasant proprietors by means of money furnished by the State, and involving an expenditure of £120,000,000 or £200,000,000? He was not going to say whether that was right or wrong; but it was a proposal constituting a new departure on the part of the Conservatives. When the Government were taunted in the way they had been, were the supporters of the Government not to entertain "reasonable suspicion" that with the Conservatives making a bid like that they possibly had an eye to the support of the Irish Party in certain contingencies when the Government might be found in a minority? Suppose the Conservatives, by the aid of the Irish vote, had carried the majority against the Government by adopting the plans in the Land League platform, was it conceivable that they could have retained the three Members of Parliament in Kilmainham Gaol when, by the aid of their supporters, they had thus obtained a majority? There was a still more important new departure than that—the Bill of the hon. Member for New Ross (Mr. Redmond). There they had an overture of conciliation from the extreme Irish Party—a new, moderate, and statesmanlike proposal to assist the Government in working out the Land Act. There were but two courses open, either to accept the overture of conciliation, or fall back upon the attitude of uncompromising resistance, which would have been putting Ireland under something like martial law, and keeping her in that condition for an indefinite time. That was the choice before the Government. The real issue which the country would look at was, whether the decision of the Government was right, or whether it would have been better to accept the decision of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), and work out a policy of uncompromising resistance and coercion? He would say, without hesitation, that when the opportunity occurred of securing the great majority of the Irish Representatives, and engaging them in passing measures for the pacification of Ireland, it would not only have been the greatest of blunders, but a crime on the part of any Government, to reject absolutely overtures of that description, and not to be ready to stretch out the hand. It was a congratulation, and not a reproach, for the Government to try and enlist the support of the extreme Irish Party in the cause of law and order. Was the House prepared to say that any Government, particularly the Liberal Government, was to continue governing Ireland for an indefinite time against the feelings and wishes of the Irish Representatives? If there was the General Election which the hon. and learned Gentleman opposite (Mr. Clarke) seemed to consider desirable, the hon. Member for the City of Cork (Mr. Parnell) would return with some 50 or 60 votes to Parliament—a clear majority, certainly, of the Representatives of Ireland. There was nothing to be ashamed at in accepting offers of conciliation. It was only to be regretted such a course had not been taken before, and that the Government had not put themselves in communication with Irish Members in framing measures for Ireland. What would be the result, if a similar policy had been adopted towards Scotland? The feeling of the Scotch Members on both sides of the House was taken as far as possible, so as to secure their support on purely Scotch measures. Why should not the same be done in the case of Ireland? They would never succeed in tranquillizing Ireland, or meet the question of disintegration, unless they were prepared to treat Ireland as they had done Scotland. So far as he was concerned, it seemed to him that, so far from having anything to apologize for, he thought the Government had taken a course which must commend itself to the common sense of Liberal Members, be they Radical or Moderate Liberals, who desired the tranquillity and pacification of Ireland. It had been brought into its present unhappy condition by the application of principles for which hon. Gentlemen opposite were now contending and endeavouring to perpetuate.

SIR STAFFORD NORTHCOTE: The speech of the hon. Gentleman who has just sat down is, in one respect, remarkable. It is the first speech, I think, that has been delivered by a supporter of the Government who is not personally connected with these transactions on behalf of the Government he supports; and, therefore, we naturally look to it to ascertain the ideas which animate Members of the Liberal Party on this question. Well, now, what has the hon. Gentleman told us? He has done that which the Government, I am sorry to say, has only been too ready to do in the course of their defence. He has endeavoured to turn away the attack made upon the conduct of the Government by something in the nature of a counter-attack upon his opponents—that is, he made an argument which, of course, is perfectly legitimate; but it always produces this effect—that the case which the Government or their supporters have to make is not in itself a very strong one if they can only argue by throwing blame upon their opponents. And I must say the attack which the hon. Gentleman made upon his opponents was a very curious one. He spoke of a new departure by my right hon. Friend the Member for Westminster (Mr. W. H. Smith) in the Notice he gave with regard to the Purchase Clauses of the Land Act of last year. He condemned the scheme of my right hon. Friend, which he never heard. He spoke of it as a new departure, apparently forgetting that my right hon. Friend the Member for Westminster, last Session, while the Land Bill was under discussion in this House, brought forward the same subject and discussed it in the same tone and temper as that in which he was prepared to discuss it this Session. He obtained the concurrence in his views of the Prime Minister, and some promise that it should be discussed; but it never was. Therefore, my right hon. Friend, instead of making a new departure, only proposed to take up the same line. I could say more on that point; but it is not the main matter we have to consider. The only other remark the hon. Gentleman made which was at all striking was a statement that he regarded all this discussion as something in the nature of a storm in a teacup. What is the storm in the teacup? We are discussing questions of the greatest importance and intimately connected with the administration of law and order in Ireland. We are discussing what everyone admits to be a most exceptional act on the part of the Government, and the hon. Member ventured to tell us it is a storm in a teacup. I do not wish to enter upon anything in the nature of offensive or strong language; but I want just to point out what our relation to this question is. It will be remembered that upon the application of the Government — upon their statement that the condition of Ireland rendered it necessary—we last year passed an Act of a highly exceptional character, arming the Executive Government with very arbitrary and extensive powers. We intrusted those powers to the Government for the sake of maintaining order in Ireland. They exercised these powers in the manner they thought right; but after a certain time had elapsed they found it to be their duty to arrest and cast into prison four Members of this House and other leading persons connected with the Land League Organization. That step was not taken Departmentally; it was not put forward and announced by the late Chief Secretary for Ireland. It was a step taken by the whole Government, announced with great solemnity, and with something in the nature of self-applause by the Prime Minister himself, who drew special attention to the great importance of the arrests the Government thought it their duty to make. That was a step which we were perfectly convinced the Government would never have taken without being under the pressure of great necessity. They took it, and they maintained the position they had assumed for some six months; then, all of a sudden, we hear that the policy of the Government is changed, and that the Gentleman who had been arrested on grounds so strong as those which were mentioned by the Prime Minister at the Guildhall in the course of last autumn—that his release and the release of his fellow Members was determined upon; and we are informed, at the same time that this strong step is taken, that it has cost the Government one of their Colleagues, and that Colleague the one who was more than any other cognizant of the whole business. Under these circumstances, the House has a right to an explanation. The House is not inclined, as a rule, to embarrass a Government in the discharge of its Executive duties by calling upon it for inconvenient explanations. It is perfectly true that many other "suspects" have been released, and no question has been asked; but this is not an ordinary release. We never heard of any other releases causing difficulties, or causing a Cabinet Minister to resign. There was something very peculiar which necessarily challenged the attention of the House in these facts. We had statements made in regard to the reasons for the release, and we had statements in regard to the reason which led to the late Chief Secretary resigning his Office. On the other hand, we had statements by the Prime Minister that there had been no bargain, and we had it pressed upon us by the Prime Minister that there had been nothing in the nature of a negotiation. On the other hand, we are told by the late Chief Secretary of the strong objection which he felt to govern Ireland by means of negotiations with persons who had broken the law. Upon the face of these conflicting statements I feel convinced that there is a good deal that requires explanation. By various questions and several discussions we have now arrived at a considerable amount of interesting information. We know a great deal now that it is important that we should know; but I do not even yet feel sure that we know all. I will not do more than point out to the House that we have been favoured with the contents of a letter written on the 28th of April, and with certain memoranda of a conversation which took place subsequent to that date. There has been something going on from about the 13th of April; there have been communications going on, and during these last two weeks something that might throw light on the proceedings of the Government was transacted. I think it is very much to be regretted that the Government have not taken us fully into their confidence, and have not enabled us to learn and to picture to ourselves what was the real origin of these proceedings. I say the House of Commons and Parliament has a perfect right to that information. They were entitled to ask for it; and though the Government has succeeded in throwing over and keeping close the veil over these proceedings, I think the House has a right to press for information. But I would still more strongly press upon the House that it is not only important, on the part of the House, that we should ask for information as to the manner in which the Government used the powers confided to them, but that it is also important, for the interests of the government of Ireland, that there should be some clear explanation which should show that it is not proved that on this occasion submission has been made to the powers of disorder. It is impossible from the statements which have fallen from Members of the Government, and from the discussion that has taken place, to avoid a fear that that impression will go abroad, or may have already gone abroad. Ireland requires many things; but one thing she requires certainly—she requires to know she is governed. I do not mean to say that she needs a harsh government, or that there ought to be anything in the nature of restraint on proper and true liberty; but what I say is that no country, certainly not Ireland, can prosper unless there is the conviction in the minds of all her citizens that the Government which professes to be at the head of affairs is qualified and capable and determined to govern. If it is believed that in such important matters as the question of the administration it is to be dependent upon the chance communications between the representatives of an illegal organization, which had been used for purposes entirely deserving of reprobation—if it is believed the chance communications with gentlemen connected with this organization are to take the place of firm and consistent conduct and policy on the part of the Government, then I say the prospect is very bad indeed. No time has been wasted in the discussion, although we have asked for no vote, and although the discussion has been made, to a certain extent, what has been called of an academic character. [SIR WILLIAM HARCOURT: Hear, hear!] The right hon. and learned Gentleman laughs at that; but the right hon. and learned Gentleman, though he succeeded in keeping a veil drawn over much, has also succeeded in showing a great deal that we should never have known. The question put yesterday, the discussions that took place, and the further discussion to-day, have forced the Government to tell us a good many things which they could not otherwise have stated, and the House and the country are so far in a better position to understand these transactions than they otherwise would have been. I will conclude by asking my hon. Friend to withdraw his Motion.

SIR THOMAS ACLAND, alluding to the references of the Leader of the Opposition to the wants of Ireland, asked how were the Irish people to be convinced that they were governed? It was by both sides of the House above the Gangway making it clear to the Irish people that neither of them were anxious to play into the hands of any Party in the House. [*Cheers.*] He knew the meaning of that cheer very well. The Irish people should be either shown that the present Government, which was said to be covered with infamy, would be turned out and replaced by men able and willing to govern Ireland, or shown that the great Party opposite was willing to rally round the Government in support of law and order.

SIR HENRY FLETCHER said, he was one of the few English Members who had been to Ireland within the last few months, and seen the state of misery and wretchedness to which the country had been reduced through the action of the Land League and its supporters. He had been among "Boycotted" farmers and their families, and if time would only permit him he could tell stories which would astonish those who had never been in Ireland. Those farmers amongst whom he had thus been had told him, again and again, that they were glad to see Englishmen to whom they could unfold their tale of woe. He asked them to go over and visit the country, and see for themselves what was its condition. [*Cries of* "Divide!" *and* "Order!"] He had never interrupted in Irish matters until that moment; and he felt it to be his duty—as it was the duty of every Conservative Member—aye! and of every Member of that House—to speak out their minds on this most pressing and important subject. He had seen, as he had said, those farmers and their families. He had conversed with men about whom there could be no question that they were real true honest Irishmen; and there could be no question—at least, there did not exist any doubt in his own mind—that the great suffering and distress through which Ireland had now been passing for many a month arose, in a great measure, from the intimidation exercised by the Land League. He was repeatedly told by the people during the time he was in Ireland that their lives and those of their families were not safe. Furthermore, they remarked to him that the miseries and sufferings to which they had been exposed, through the action of the Land League, no Englishman could imagine who did not visit the country and see for himself. That was what was told him in Ireland last autumn, just before the winter came on. The people said they were hoping almost against hope, though, at the same time, trusting that the Government, in taking whatever course they might to cope with the terrible state of affairs then existing, would be firm and determined in their policy. He must say that he did not think the afternoon had been wasted in the discussion that had taken place. That wretched organization—the Land League—would have to be put down; and he believed the country would be delighted and glad to hear that they were endeavouring to uphold the power of the law, and support the authority of the question by taking up the matter in the way they had done. He did not agree with the remark of the hon. Baronet who had just sat down (Sir Thomas Acland) when he said the course they had taken was not calculated to achieve that. At all events, they (the Opposition) had endeavoured to support Her Majesty's Government in carrying out measures which were best calculated to maintain the power and the authority of the Executive in Ireland. There could be no doubt that this was a very grave and important crisis in Irish history; and if the Government were not determined now, at this critical moment, to fulfil all the pledges they had given, and promised, and made in that House during the last few days, Ireland might very well say it would never look with confidence to England again.

It being ten minutes before Seven of the clock, the Debate stood adjourned till *this day*.

LAND DRAINAGE PROVISIONAL ORDER BILL.

On Motion of Mr. HIBBERT, Bill to confirm a Provisional Order under "The Land Drainage Act, 1861," relating to Fenstanton Improvements, situated in the parish of Fenstanton, in the county of Huntingdon, *ordered* to be brought in by Mr. HIBBERT and Secretary Sir WILLIAM HARCOURT.

Bill *presented*, and read the first time. [Bill 164.]

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (NO. 2) BILL.

On Motion of Mr. SOLICITOR GENERAL for IRELAND, Bill to confirm Provisional Orders of the Local Government Board for Ireland relating to the towns of Ballina and Lurgan, *ordered* to be brought in by Mr. SOLICITOR GENERAL for IRELAND and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented*, and read the first time. [Bill 165.]

The House suspended its Sitting at Seven of the clock.

The House resumed its sitting at Nine of the clock.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at five minutes after Nine o'clock.

HOUSE OF LORDS,

Wednesday, 17*th May*, 1882.

Their Lordships met;—And having gone through the Business on the Paper, without debate—

House adjourned at Four o'clock, to Friday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Wednesday, 17th May, 1882.

MINUTES.] — PRIVATE BILL (*by Order*) — *Considered as amended*—South Eastern Railway (Various Powers) *.

PUBLIC BILLS—*Second Reading*—Poor Removal (Ireland) (No. 2) [91], *put off;* Allotments [90]; Supreme Court of Judicature Acts Amendment * [54].

Select Committee — Artillery Ranges * [125], *nominated.*

Committee—Copyright (Works of Fine Art, &c.) [119], *debate adjourned.*

Considered as amended—Arklow Harbour [137].

COMMITTEES.

Ordered, That Committees shall not sit Tomorrow, being Ascension Day, until Two of the clock, and have leave to sit till Six of the clock, notwithstanding the sitting of the House. —(*Mr. Gladstone.*)

ORDERS OF THE DAY.

POOR REMOVAL (IRELAND) (No. 2) BILL.—[BILL 91.]

(*Sir Hervey Bruce, Mr. Corry, Mr. Lewis.*)

SECOND READING.

Order for Second Reading read.

SIR HERVEY BRUCE, in moving that the Bill be now read a second time, said, that for many years it had been felt in Ireland that a considerable grievance existed through the practice of Boards of Guardians, both in England and Scotland, being enabled to send back to Ireland poor people who had lived for many years in those respective countries, and the object of the Bill was to remove it. Those poor people who had by the sweat of their brow been earning their capital and putting money into the pockets of the people of those two countries, and become worn out in their service, were sent back to Ireland to become a burden to the rates as soon as they were no use. If the practice had only been occasional, or had been confined to sending back at once persons who had left Ireland in poverty, it would not have raised the burning feeling which the practice had called forth in Ireland; but the case was far otherwise. Further, if the persons sent back were sent back with some prospect of being able to earn something, and not simply when they were worn out and to be chargeable on the rates, he considered it would be only right and just that they should be able to send them back; but the case was far otherwise. People, as the Returns which had been laid on the Table showed, had been sent back within the last three years preceding 1881, to the number of more than 700; and amongst them were some who had resided for periods varying from 25, 29, 32, 35, up to 50, and even as far as 60 years in Scotland or England, some of them in such a state that they had died as soon as ever they arrived on Irish shores. There was also the strange circumstance that among them there were some pauper children who were actually born in Scotland after the coming over of their disabled parents. This was one of the real grievances from which Ireland suffered. If these paupers were removed simply on account of their poverty there would be some justice in the conduct of the Boards of Guardians; but when they sent back old men and women on the verge of death, merely to save their rates, probably for a few months, it was an act of barbarity which he could not understand any Board of Guardians possessed of common feelings of humanity performing. For years Ireland had been suffering from an injustice to which they were not entitled. He regretted that he had to speak strongly on this matter; but this was a real grievance of Ireland, and not one of the imaginary grievances that were sometimes heard of. In the present state of the House, with no one but the right hon. and learned Attorney General for Ireland on the Treasury Bench, and in the absence of many Irish Members and of the President and Secretary of the Local Government Board, he would not say anything more; but he wished that the attention of the Government would be directed to the question, and that the Bill would be supported by every Irish Member, as the object was to remove a great, undoubted, and unnecessary Irish grievance. He would, therefore, simply content himself with moving the second reading of the Bill, which should be regarded as an instalment of justice for Ireland.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Hervey Bruce.*)

MR. COCHRAN-PATRICK, in rising to move, as an Amendment, that the

Bill be read a second time on that day six months, said, that though this was nominally an Irish measure, though it had been introduced by an hon. Member representing an Irish constituency, and though it would be supported, he doubted not, by all the Members from Ireland sitting in every part of the House, the operation of the Bill was, unfortunately, not confined to that country. It would affect seriously the interests of England, and still more seriously the interests of Scotland. With regard to its effect on England he would not presume to speak, because the circumstances and the conditions of the administration of the Poor Law in England and in Scotland were so different, that whatever knowledge or experience one might have of the one country was no guarantee for his being able to form a just opinion with regard to its operation in the other. It was because he felt that the effect of this Bill would be most injurious to Scotland—that it would cause a very large increase on local rates; and that it would inflict a very unjust and very unnecessary burden on the ratepayers of Scotland—that he now moved that the second reading be taken that day six months. He might be permitted to say, before entering into the merits of the measure, that, in common with many of those who had looked into the working of the Poor Law in Scotland, he had long been of opinion that important modifications and alterations might with advantage be introduced, both into the Law of Settlement and into the power of removal; and while he would be glad to see Her Majesty's Government, or some responsible body of Scottish Members intimately acquainted with the circumstances of that country, bring forward a measure to deal with these points, one preliminary objection he had to this Bill—altogether apart from its merits—was that it proceeded to deal with only one part of the subject, and that from only one point of view. As the law existed at present in Scotland, a native of Ireland must reside continuously in one parish for five years before he became chargeable, and he must retain that settlement by a residence of not less than one year in the succeeding period. But the Bill now under the consideration of the House introduced a most sweeping and extraordinary change on the present state of matters. It provided that after the passing of the Act it should not be lawful for any Justice or Justices of the Peace in England or Wales, or for any Sheriff or Justice of the Peace in Scotland, to remove, or cause to be removed and conveyed to Ireland, any poor person, provided he had resided in Great Britain for three years before becoming chargeable. The effect of that would be that any poor person from Ireland, who had spent, or who even alleged that he had spent, three successive years before he became chargeable in any part of England or Wales, or Scotland, might become a permanent burden on the rates of the parish in which he became chargeable. He quite admitted that with regard to this question there was some cause of complaint; and he thought the arguments in favour of a change in the law brought forward by the hon. Baronet who introduced the Bill (Sir Hervey Bruce), and the arguments which had been brought forward in other quarters, deserved their attention; but he believed that a very complete and practical answer could be given to every one of them. In the first place, it was said that there ought to be reciprocity between the three countries in the matter of pauper removal—that was to say, that because Ireland had no law of removal or settlement, therefore in Scotland there should be no power of removal. He admitted that, under certain circumstances and conditions, the law of reciprocity might be a fair one; but in order to be a fair one it must proceed on a certain basis of equality. Now, how did the matter stand with regard to pauperism in Ireland coming from Scotland, and in Scotland coming from Ireland? He found in a Return, which was moved for by an hon. Member of the House not many years ago, that the total number of persons, including children, receiving indoor relief in Ireland, and born in Scotland, on 6th January, 1877, was 68; and that on the 7th of July of the same year the number was 75. The number receiving outdoor relief was only 1 at both these dates, and the number of lunatics was 11 and 12 respectively. Therefore, during that year there were under 100 Scottish paupers in Ireland chargeable to the rates in Ireland. In the same period in Scotland, he found in the same Return the number of Irish paupers, born in Ireland

and receiving outdoor relief in Scotland on the same day, was 5,051 and 4,651 dependents; and the general result was that at that period there were between 11,000 and 12,000 chargeable to the rates in Scotland; whilst, on the other hand, there were in Ireland under 100 persons from Scotland who were chargeable on the rates in Ireland. Now, he had reason to believe, from information that had been furnished to him, that the proportion of those numbers remained practically unchanged; or, if any change had occurred at all, it had occurred in the direction of increasing the number of Irish poor in Scotland, and of decreasing the number of Scottish poor in Ireland. He found that, on the 30th November of last year, at the anniversary dinner of a most laudable society, called the Benevolent Society of St. Andrew, in Dublin, the President stated that there was not at that period a single Scotch man or woman in the City of Dublin receiving public relief from the public rates in Ireland. Therefore, he thought, with regard to proportionate pauperism, as the basis of a change in the law, that the disadvantages were all against Scotland, and the advantages all in favour of Ireland. But he was not unwilling to make reciprocity of another sort the basis of a new arrangement. He was willing, if they continued the power to remove Irish paupers from Scotland, to extend the same power to Ireland of removing the Scottish paupers to Scotland; or, on the other hand, he was willing to accept this reciprocal basis of arrangement—namely, while Scotland paid for her poor in Ireland, Ireland should pay for her poor in Scotland. That was the arrangement which they had in Scotland between parishes, one with another. Another argument used by the hon. Baronet the Member for Coleraine was that very great hardship was inflicted on the poor people. He (Mr. Cochran-Patrick) was not disposed to deny the existence of cases of hardship. He had stated that he was perfectly willing, and he believed that the great majority of those who were acquainted with the administration of the Poor Law in Scotland were perfectly willing, that there should be such an amendment of the law as would obviate these cases of hardship; and he was of opinion it might be done in this way—that if a poor person from Ireland had had a *bonâ fide* industrial and residential settlement for a certain number of years in Scotland, that should give him a status of irremovability. But, apart from that, he was not prepared to admit that the existence of isolated cases of hardship was a ground for the abolition of a law. What he said was, that every possible precaution was taken by the authorities in Scotland to prevent cases of hardship taking place. There was a deliberate process which had to be undergone before the pauper was removed to Ireland, which, in itself, was good ground for supposing that cases of hardship, if they did occur at all, must be extremely rare. In the first place, the pauper must have had relief granted to him in the parish. In the next place, each was commonly considered on its merits by a committee of the Parochial Board. In the third place, application had to be made to the Sheriff for a warrant of removal. And, in the fourth place, the Sheriff had to satisfy himself; often by an independent inquiry, that the pauper had no settlement in Scotland, that he had a settlement in Ireland; and that he was physically fit for removal. After all these preliminaries had been gone through, it was necessary to send 24 hours' notice to the Union in Ireland to which the pauper was about to be taken. Then the pauper had to be sent over to Ireland, under the charge of a responsible official, who had to get a receipt from the official in charge of the workhouse of the Union to which the pauper was sent. Besides that long preliminary process, there were special regulations laid down by the Board of Supervision in Scotland as to the removal of paupers to Ireland in 1858. There was also in 1862 an Act of Parliament which gave further safeguards against hardships; and under that Act the Board of Supervision again issued stringent instructions providing for cases in which paupers, without the legal process, but of their own accord, were removed to Ireland. He thought he had said enough to show that, so far as the law could make safeguards, and so far as these could be acted upon by local bodies, everything that could be suggested had been done in Scotland. He would now like to call the attention of the House to this fact—that, of the number of poor who were liable to be removed, only a very small proportion were, in point of fact, actually removed. He found that in the parish of Govan, in 1878, 23 paupers and 19 dependents were removed to Ireland, while 326 paupers and 314 dependents might have been removed if the law had been stringently carried out. In the same year, in Kirkintilloch, 194 persons had settlements in Ireland, and might have been removed, while only 7 were, in point of fact, removed. In the Barony Parish of Glasgow, in 1878-9, the number that might have been removed was 210, while the number who were removed was only 27. He might multiply these examples to an indefinite extent; but he thought the examples he had given were sufficient to show that the charge of hardship would, he believed, be entirely met by the precautions which were actually taken, and by the modification which they in Scotland were prepared to assent to with regard to the industrial and residential settlement. He might also mention that a Return had been made, at the request of the Committee of the House of Commons, of special cases of hardship that occurred. For the four years from 1875 to 1879, only 10 cases were laid before the Committee, presumably the worst that could then be brought forward, and of these 10 cases only 2 referred to Scotland, the remaining 8 being English cases; and of the whole 10 cases, 6 would have been clearly met by the modifications which he had expressed his willingness to accept. There was another argument which was sometimes used in connection with this matter—namely, that the existing Law of Removal restricted the labour market, and prevented Irish labour from coming over to Scotland. If that were the case, it might be a serious argument; but he doubted whether it did exist in point of fact. As a Railway Director, he had opportunities of occasionally coming in contact with very large contractors in Scotland, and other large employers of labour; and he had never, on any one occasion, heard the complaint that there was the slightest scarcity of Irish labour. On the contrary, if any opinion was expressed, it was rather the other way; and he believed, as a matter of fact, that of every 100 labourers who desired to come to Scotland with the intention of seeking for work, not one was deterred by the possibility that, if he did not acquire a settlement, he might ultimately be sent back to his native country. There was only one other argument which had been advanced in favour of the Bill to which he would refer. The Select Committee of 1879 undoubtedly indicated an important change in the Poor Law of England and Scotland; but he ventured to say they never contemplated a vagrant period of existence for three years, or even one year. He thought the Committee had in their minds that a person should be fixed in one parish, and so, presumably, should have a residential settlement there for that period. There was nothing in the Bill that would prevent natives of Ireland coming to Great Britain and wandering about for three years, living successively in every parish in the country, and then going say, to Glasgow, and becoming chargeable on the rates. Now, there were one or two general considerations which he would like to lay before the House in connection with this power of removal. He thought it was a not unimportant consideration in the case that they found in Scotland that this Law of Removal acted as a restraint on pauper immigration into the country. He had said that he did not believe that the law prevented *bonâ fide* labourers going into Scotland and seeking for work; but what they did find was, that there was another class who came to Scotland, especially to the South-West, who did not come for the purpose of seeking work or wanting to get work, but who, knowing that their case was a much harder one when they became paupers in Ireland than when they became paupers in Scotland, came and endeavoured to become chargeable to Scotland. He also found that, with regard to the first class—the *bonâ fide* labouring class—there was a circumstance which had some important bearing on this case. He found that, taking a Scotch population in Scotland of labouring men and an Irish population of the same class and earning similar wages, the proportion of paupers in the Irish population was 40 per cent higher than the proportion of paupers in the Scottish population. That was an argument worth consideration. If they took away the power of removal, and increased the existing facilities for itinerant paupers becoming chargeable on the rates in Scotland, they feared that the numbers who came over from Ireland to Scotland would be so largely increased that the pecuniary burden on Scottish ratepayers would become almost intolerable. He found, from statistics given before the Select Committee in 1869, that, while in the period from 1863 to 1868 there was a decrease in the number of Scottish paupers in the county of Renfrew of 14 per cent, the Irish pauperism had increased during the same period by 22½ per cent. He found, also, that during the eight years succeeding 1845, when a five years' settlement was introduced instead of the three years' settlement, Scotland removed, in round numbers, 46,000 paupers to Ireland; while in a similar period of years, from 1871 to 1879, the number removed was only 1,826. The reason which induced paupers, or persons on the verge of pauperism, to come from Ireland to Scotland was not far to seek. The reason, as he believed, was that the Poor Law in Ireland was, in its operations upon poor persons, much more harsh than the law in Scotland. In the first place, he found that relief in Ireland was mainly indoor relief, while in Scotland it was mainly outdoor relief, and relief in Scotland was confined to those persons who were not able-bodied. He also found that the dietary in Scottish workhouses was of a very different and superior sort to that in Ireland. He had in his hand the scale which was laid before the Select Committee by the governor of a poorhouse in Scotland; and, according to the lowest scale which could be provided by the local bodies of Scotland, the paupers had four ounces of oatmeal made into porridge, and three gills of milk for breakfast; for dinner, a pint and a-half of broth and eight ounces of bread, the broth being made of two ounces of Scotch barley, two ounces of vegetables, and two ounces of beef without bone; and supper the same as breakfast; while each pauper, when working, had besides four ounces of boiled beef for dinner. But what did they find in Ireland? He took the evidence given by one of the witnesses before the same Select Committee, and he found that in Ireland the aged and infirm men and women and children received about eight ounces of oatmeal per day for a man, and seven ounces for a woman, with new milk in the morning for breakfast, and from 14 to 16 ounces of brown bread and soup for dinner, made, not with vegetables and beef, but with oatmeal seasoned with pepper and salt; and in Ireland, apparently, they did not receive anything more than two meals, the third meal not being obligatory in the case of the aged and infirm. In these circumstances, it was not surprising that there should be an immigration of Irish paupers into Scotland. But not only did this power of removal have an important effect respecting pauper emigration from Ireland, but it had an important effect in deterring applicants for relief in Scotland. In a Return made to the Parochial Board of the parish of Edinburgh he found there were the following instructive facts. In the five years from 1877 to 1881, 986 Irish were ordered for removal to Ireland, exclusive of their dependents; and out of these 986, when the preliminary process of applying for a warrant was undergone, he found that actually in the same period the number of warrants was only 362, and those who were actually removed numbered only 248. The difference between those 248 and the original number, 986, therefore, represented the effect which the power of removal had in deterring those persons from coming on the rates, and causing them to remove somewhere else. He should trouble the House with only one other consideration, and that was that they had every reason to believe that this alteration in the law which was proposed would be accompanied by an enormous increase of local rates. In the first place, if they were not able to exercise the power of removal to Ireland, they would be obliged inevitably to introduce into those centres of population where the Irish element most did congregate a system of indoor relief, somewhat equivalent to that in Ireland, in order that they might not hold out that inducement which caused such a large influx of population from Ireland to Scotland. They would be obliged to make their poorhouses in Glasgow and Edinburgh, and the other large centres of population, something more like what the workhouses really were in Ireland. That would involve very large additional accommodation, which would involve a consequent increase in the rates; and it would be an additional hardship to the Scotch paupers, who would be obliged to be put in the same category as the Irish paupers, merely to deter these Irish paupers from coming over. As to the additional numbers who were likely to be put on the rates in Scotland, it was almost impossible to estimate them, because they had no accurate statistics which bore upon the point; but he thought they were entitled, in a matter of this kind, to consider the opinion of those gentlemen who had been longest and best acquainted with the practical working of the Poor Law in Scotland; and he found that those gentlemen were unanimously of opinion that an enormous increase in the rates would follow upon the proposed change. He might mention that he had the authority of Mr. M'Laren, Chairman of the Barony Parish of Glasgow, and Provost Dick, of Govan Parish, and many others well acquainted with the administration of the Poor Law in Scotland in the large centres of population, to state that they, from their experience, believed there would be a great increase in the rates if this proposal became the law. He (Mr. Cochran-Patrick) himself coincided with that opinion, and it was corroborated by the views of gentlemen connected with other parishes in Scotland, both rural and urban; and he could only say that a measure of this kind, if it were passed into law, would be both unjust in itself and against the unanimous feeling of the people of Scotland. He would conclude by moving the rejection of the Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Cochran-Patrick.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. SALT said, the Bill really touched on the fringe of a very large question, and a question which required and deserved very great care and consideration. He was anxious to recall to the attention of the House, and to the recollection of those hon. Members who had taken an interest in Poor Law matters, the very strongly-expressed opinions which had from time to time been given, both by Members of that House and by gentlemen who were especially experienced in the administration of the Poor Law, in favour of the total abolition of the Law of Settlement as regarded the poor. He would not go back to the beginning of the Laws of Settlement and Removal; but he should like to recall to the recollection of the House some Resolutions passed by a Committee presided over by Sir Charles Buller in 1847. From that period almost continuously there had been strongly-expressed opinions to the same effect on the part of the House, and also, from time to time, some moderate alterations in the law. The Resolutions in 1847 were, first—

> "That the Law of Settlement and Removal is generally productive of hardship to the poor, and injurious to the working classes, by impeding the free circulation of labour."

The 2nd Resolution was—

> "That it is injurious to the employers of labour, and impedes the improvement of agriculture."

The 3rd was—

> "That it is injurious to the ratepayers, by entailing expense in litigation and in the removal of paupers."

The 4th Resolution was to the effect—

> "That the power of removing destitute poor persons from one parish to another in England and Wales should be abolished."

Now, those were very important Resolutions, which were passed by a very important Committee; but it was only fair to remind the House that, though passed in the Committee, they were never reported to the House. They were, nevertheless, valuable as an indication of opinion. In 1861 another Committee reported that the Law of Settlement and Removal ought to receive the early attention of Parliament, with a view to its settlement; and in July, 1878, a Resolution was passed to the effect that the law required amendment, and accordingly a Committee was appointed to consider the matter. In their Report, made in 1879, that Committee recommended that in England the Law of Removal should be abolished, and that for the purposes of poor relief settlement should be disregarded, with the following exceptions:—In Scotland, the Law of Removal should be gradually assimilated to that of England, and that the five years' residential settlement should be reduced to one year. Legislation had, to a great extent, followed in the same course. He would remind the House of two very important Acts—the Union Chargeability Act of 1865, and the Poor Law Amendment Act of

1870—which made most important, but, as many people believed, not complete changes with regard to the Law of Settlement and Removal. During the inquiry before the Committee of 1879, most of the skilled Poor Law Inspectors expressed their opinion, in the strongest terms, that the Law of Settlement and Removal should be abolished. Then, with regard to the opinions of the Unions themselves, two of those eminent Inspectors, Messrs. Henley and Doyle, had taken the opinion of many of the Poor Law Guardians in England and Wales, and their opinions were largely in the same direction—that was, in favour of the abolition of the existing law. It was, however, not desirable that the Law of Settlement should be abolished altogether, for this reason—that many other matters besides Poor Law relief depended upon the Law of Settlement. He acknowledged that the opinion in Scotland did not fall in with the opinion of the English Inspectors; and, though he was not prepared to say, after having given great attention to the subject, that he agreed in every respect with the Scotch view, yet he did say that the present law of Scotland differed from that of England and Ireland, and that the opinion of the Scotch people deserved the most careful consideration. Having given that general outline of the position of the question, he would ask, How far did the present Bill meet the case? It appeared to him that the Bill dealt with only one part of a question which was ripe for being dealt with as a whole; and that, if passed in its present form, it would only add one more difficulty to the many that already existed. In his opinion, the only way to deal with the matter was to introduce a Bill that would really embrace the whole question, and then refer it to a Select Committee, so that the opinions of England, Scotland, and Ireland might be obtained, and thoroughly sifted and discussed. He felt much obliged to his hon. Friend the Member for Coleraine (Sir Hervey Bruce) for having brought in this Bill, which, though it contained many imperfections, was an important contribution towards the settlement of the question. He hoped he had succeeded in persuading the House that the question was ripe for settlement, and that they would use their best endeavours to deal with it as a whole, but, at the same time, take care that private interests were not interfered with.

COLONEL NOLAN said, that England and Scotland treated Ireland, in that matter, worse than a foreign Power. At that moment a very large emigration was taking place from the West of Ireland to North America; but if the United States Government, at the end of two or three years, when there was no necessity for their labour, were to propose to ship these emigrants back, what would they think of them? They would point out that these people had been tempted from their homes by the prospect of labour or for other reasons, and that to send them back, when there was a prospect of their becoming paupers, would be a very hostile and very unfriendly act. No doubt, every means would be taken to prevent people sent back from landing. What, however, they would think very hard, if practised by the United States, was that which they were proposing to continue as between Scotland and Ireland. Indeed, as he had said, in this matter England and Scotland treated Ireland not only with disrespect, but much worse than a foreign Power, and still they wondered that Ireland did not love England and Scotland. They paid no respect to Irish utterances, or Irish opinions and ideas, and for Ireland there was no settlement. In Ireland they had been trained to the idea that there was to be no settlement. A man could walk into any Union, and he had the right of staying there for any time during 24 hours. They could not send a man from one Union to another; but although, amongst themselves, they were taught to look upon the Law of Settlement as of no moment, yet, when Scotch interests were concerned, it was to be enforced, and enforced in such a way that if a foreign Power acted in the same manner they would consider it very foolish and very unfriendly. The conditions of life, no doubt, were not so pleasant in the Western portion of Ireland as in some other parts; but one of the great reasons why that was the case was, that the people had been kept poor by legislation. The people in those districts were tempted by the greater means of getting work offered in England and Scotland, and there was too great a demand in some parts for Irish labour; but having got the whole of the work he was able to perform out of the man, it was proposed he should be sent back again to Ireland. That was a most iniquitous state of the law, and a specimen of the bad law which English and Scotch people made for Ireland. The hon. Gentleman the Member for Stafford (Mr. Salt) admitted virtually all that; but he said—"Wait, and it may be altered in three or four years time." Were they to stop such a very practical Bill upon such a speculation? The argument for the delay was a very strong reason why they should press on the measure; and if they objected to a foreign Power sending back emigrants, he (Colonel Nolan) could not see how they could sanction such a proceeding in Scotland. He maintained that as long as England and Scotland claimed to make laws for Ireland they ought to make fair laws as between the three countries.

Sir JOHN HAY said, the question was a very different one from that put forward by the hon. and gallant Member for Galway (Colonel Nolan). The relations between Scotland and England and Ireland were very different from that of North America with those countries. Scotland had for many generations succeeded, by emigration and other arrangements, in keeping down its population to the number which was about just sufficient for the agricultural work and for the industrial occupations of Scotland, and had taken care that, by the Law of Settlement and other arrangements, her population had not unduly increased. By the Census Returns, it appeared that the population of Scotland over an area identical with that of Ireland, with the same amount of agricultural land and tillage, was nearly 2,000,000 less than Ireland. In Scotland 10 persons cultivated 10 acres, while in Ireland 56 persons did the same work. He agreed with the hon. Gentleman the Member for Stafford (Mr. Salt) that the term of five years might reasonably be reduced, and he had said so before; but he confessed that to entirely abolish the Law of Settlement, and to make arrangements such as those suggested by the hon. and gallant Member for Galway (Colonel Nolan), would be especially unfair to Scotland, and to the maritime towns of England. The amount of pauperism in Scotland was very small in proportion to the Scotch population; but the number of Irish poor in the portion of Scotland he (Sir John Hay) had the honour to represent was very considerable; and it would be most unfair to those counties and districts in Scotland which were within a short distance of Ireland, if the Irish who came there without settlement were to go upon the rates. The temptation to come, by the excellent fare they obtained in Scotland, compared with the Irish dietary, would be so very great, that the result would be to flood Wigtonshire and Ayrshire with Irish paupers, and add to the rates enormously. He agreed with the statement that the subject was one which, in a larger Bill introduced by the Government, should obtain the attention of the House. With regard to Scotland, however, inquiry by a Committee was exceedingly necessary, before anything could be applied to Scotland. He trusted the Bill would not receive the sanction of the House, and that the suggestion of the hon. Member for Stafford (Mr. Salt) might be agreed to.

Colonel COLTHURST said, he quite agreed that the idea of the hon. Member for Stafford (Mr. Salt) would be the best way of dealing with the subject, and in his opinion he was fortified by perhaps the most eminent authorities in Ireland on the subject. He also agreed with the statement that the real cause of the inhuman system that prevailed in Scotland was to be found in the narrow law of the country. He was ready to concede that if the same inhuman system prevailed in Ireland, and if there were Scotch with English paupers in Ireland liable to deportation, the same reasons which made Scotch Guardians inhumane towards Irish paupers would make Irish Guardians, under the present system, inhumane to English or Scotch paupers. The true remedy was the abolition of the Law of Removal, while another remedy would be the extension of the law of Union rating both to Ireland and Scotland. But as had been stated, if they waited for that they would leave a number of Irish people suffering from hardship—a hardship which was not to be measured by the number of cases that came under the notice of the public. There were a number of poor people in England and Scotland who did not apply for relief, because they felt that if they did so they would be liable to the Law of Deportation. The Bill before the House appeared to him to be a very moderate and justifiable attempt to give effect to the recommendations of the Committee of 1879. It did not go so far as that Committee, because that Committee recommended that, so far as England was concerned, the Law of Removal to Ireland should totally cease; but in deference to the statements and the views expressed by Scotch witnesses, they only recommended that, so far as Scotland was concerned, the law relating to removal should be practically assimilated to that of England, and that five years' residential settlement should be reduced to one year. The Report of that Committee went on to say that the Scotch witnesses were very much opposed to change; but he did not think it necessary that the House should pay attention to that feeling. If it was unjust that Irish paupers should be deported from England to Ireland, surely it was unjust that they should be deported from Scotland to Ireland. Therefore, he hoped that the House would give a second reading to the Bill, and not postpone the settlement of the question for an indefinite period. The decision of the House would, however, be greatly assisted if the hon. Gentleman the Secretary to the Local Government Board would state exactly what the state of the law in England was as regarded the settlement of Irish paupers, for he was ashamed to say he was not clear as to the detail of it.

MR. O'SULLIVAN said, he would much have preferred the Bill of his hon. Friend first on the Orders; but he should support the second reading of this Bill with a view to its being amended in Committee. He had hoped it was so reasonable and fair that there would be no opposition to it; but he was sorry to find that there had been two Notices put down for the rejection of the Bill. He was glad, however, to know that these Notices for rejection were not put down by those most interested in the Bill. They were put down by two Scotch Members, and he did not expect either generosity or justice from Scotchmen. Much as the Irish people had been misgoverned for many years by Englishmen, he would prefer that they should be misgoverned for centuries to come rather than that they should have the misfortune to be governed by Scotchmen. He appealed, therefore, to the justice and generosity of Englishmen to erase the Poor Law Act from the Statute Book, for, as it existed in its present form, it was a disgrace to the Statute Book. What was it that had made England great and wealthy as it was? Was it not labour? And where did the greater portion of that labour come from except from Ireland? He did not object, if paupers were sent to England, that they should be sent back again to their own country; but he decidedly objected to a man coming to England and spending the years of his life there, helping to swell the wealth of the country, and then, because he was unfortunate, being sent back to Ireland to be kept as a pauper for the remainder of his days. England called Ireland her Sister Country; but how did she treat her Sister Country? America was the real Sister Country, because she opened her arms and received all that Ireland sent her. England acted as a cruel stepmother. She kept them as long as they could add to her wealth by their labour — labour which had made her what she was—but the moment they got impoverished they were sent back to Ireland. He admitted that it was a benefit to have a place to come to to look for labour; but he said it was a greater benefit still to England to have that labour. He would give an instance of a case which he knew. It was the case of a man who left Ireland when he was nine years of age, and since then he had been 40 years in England and 10 years in Wales, so that he had been out of Ireland for 50 years. The whole of the time of that man's life had been employed in assisting in the increase of the wealth of England; and yet, when he became old and unable to work, he was sent back to the country from whence he came to be maintained as a pauper. It was unlikely that any pauper would come from Ireland to this country and live three years in order to become chargeable to the rates. They did not object to maintaining Irish persons who had only been resident in England for three years; but they thought it was most unfair that a man should spend the whole of his life in other countries and then be sent to Ireland as a pauper. He appealed to the justice of Englishmen to support the Bill, which gave them small a measure of justice; but he would not appeal to Scotchmen.

Mr. ANDERSON said, the hon. Member who had just sat down (Mr. O'Sullivan), in describing the present state of the Law of Settlement in Scotland as being penal, appeared to be ignorant of the fact that the present law was a law against other parishes in Scotland, and it was merely because Irish paupers happened to be in Scotland that he could regard it as a penal law as against Ireland. If Irish paupers suffered they would equally have suffered had they belonged to Scotch parishes. Many parishes in Scotland might make the same complaint that it was a penal law against them. It was simply a question of parochial settlement, and in that respect there might be matter for fair change. He did not maintain that it was in all cases just. He did not think, when a man gave the labour of his life to a parish, that he should afterwards be sent back to Ireland. But, practically, that was not done, except in a very few cases. What was complained of was that Irish pauperism was sent over to Scotland. The hon. and gallant Member for Galway (Colonel Nolan) drew an analogy from America, and asked what would be said if America sent back paupers to this country? The answer to that was, that the difference between the two countries was that Ireland did not send her paupers to America. If Ireland began to send her paupers to America, America would very soon stop receiving them; while they had no means in Scotland of preventing their admittance. The hon. and gallant Member for the County of Cork (Colonel Colthurst) spoke about the inhumanity of the Scottish law. He (Mr. Anderson) and other Scotch Members complained that it was the inhumanity of the Irish law that did the mischief. The Irish Poor Law system was the most cruel in the world. By applying too relentlessly the workhouse test to their paupers, they drove them out of Ireland and into Scotland. Those who might succeed in getting into Irish workhouses, they starved when they got them there. The Irish paupers naturally preferred the treatment they received in "inhumane" Scotland to the treatment in "humane" Ireland. That was how the humanity lay. It lay with the Scotch, and not with Ireland. If a measure of this sort were passed, the Scotch would be obliged to insist upon a uniform scale of dietary between the two countries, or else to establish Irish wards in the Scottish workhouses, and supply skimmed milk and skilly in the Irish wards, the same as Irish paupers got in Irish workhouses. He quite agreed that some change was necessary, but not the change proposed in the Bill. The hon. and gallant Member for Cork said the Bill did not go far enough—that it did not go as far as the recommendations of the Committee that sat upon the subject. But, in fact, the Bill went a great deal farther. The recommendations of the Committee were one year's settlement in the parish or Union; but the proposal of the Bill of the hon. Baronet opposite (Sir Hervey Bruce) was three years in the whole of Scotland. One year's settlement in one parish was a very different thing from three years' settlement in the whole of Scotland. He would like to know how the hon. Baronet intended to prove that a pauper had been three years in Scotland? Was a parish to take the *ipse dixit* of the pauper that had been here and everywhere over Scotland for three years; or was it to require absolute proof? Without provision for absolute proof of three years' residence, that plan would not do. At the same time, he (Mr. Anderson) thought the term of settlement might fairly be reduced in Scotland from five years to three years in a parish, and that some of the parishes might, as regarded settlement, be united and be equivalent to one parish. For instance, in Glasgow there were three large parishes, and he thought it rather hard that a man should not have a settlement in Glasgow, because he resided first in one of those parishes and then in another. In such a case as that, and also perhaps in Edinburgh, the city parishes should be treated as one parish; and in some of the country districts it would be well, also, to have a Union settlement in place of a parish settlement. He was not, however, in favour of Union rating or administration; because he believed the parish rating and adminstration was far more economical. Willing as he was to have some changes in the present system, he would like to see the matter taken up by the Government, and dealt with; but he could not agree to the second reading of the Bill.

Mr. SYNAN said, he was glad to hear an admission of the hon. Member for Glasgow (Mr. Anderson) that the parochial system of Scotland, as regarded settlement, ought to be extended and enlarged, and made a Union system, for the purpose of preventing the injustice which was proved before the Committee of 1879 to exist; but he could not allow the statements of the hon. Member for Glasgow, that paupers were worse treated in Irish than in Scotch workhouses, or that Irish paupers were sent over to Scotland, to go uncontradicted. In regard to the last allegation, he asserted that no Irish paupers were sent over to Scotland or England. Able-bodied labourers crossed over; but they paid for their passages with their own money, and went into the labour market of England and Scotland. It was hard that after giving their labour to the Scotch merchant or English trader for 30 or 40 years they should, when they fell sick, be taken from their beds and sent back to Ireland, not to any particular parish there, for there was no Law of Settlement in Ireland, but to any part of the country where it pleased the Scottish parish to send them. Sometimes they were dropped in hotels in cities, and abandoned by those who accompanied them from Scotland, so that they had to appeal to the workhouse for relief. Was the hon. Member for Glasgow in favour of that? Did he think that a just law? He did not seem to have read the evidence in the Report of the Committee of 1879. That Committee was perfectly unanimous, with the exception of two Scotch Members, only one of whom—the hon. Member for Falkirk (Mr. Ramsay)—was now in the House, and it was Scotch Members now who opposed the Bill. What astonished him (Mr. Synan) more than anything was the opposition of the hon. Member for Stafford (Mr. Salt). Perhaps he was looking for Scotch assistance. The hon. Gentleman was Chairman of the Committee of 1879, and he was against the Law of Removal. He (Mr. Synan) was therefore surprised that he should have taken the attitude he now did in proposing that Ireland should wait till England and Scotland had arranged their Laws of Settlement before she got her grievance remedied. Ireland might as well be told to wait for the Millennium. So far from it being true that the paupers in Irish workhouses were starved, as the hon. Member for Glasgow had alleged, the evidence given before the Committee showed that they got two good meals a-day, and that weakly persons got three. For breakfast they got wheaten bread. Their dinner was a substantial one of bread and soup. [Mr. Anderson: What is the soup made of?] Not Scotch porridge. It was also suggested, and in an equally groundless manner, that, if the Bill were passed, Scotland was such an Elysium that all the Irish paupers would at once fly to it. He maintained that there was no reason to fear anything of the kind. The evidence before the Committee of 1879 entirely disproved any such statement. What the Bill was intended to do, and what he (Mr. Synan) asked the House to do, in the cause of justice and humanity, was to put an end to the condition of things proved before the Committee of 1879 to exist under the Law of Removal, by which men could be taken out of sick beds and sent back to Ireland, after spending, perhaps, 40 or 50 years of their life in residence in England and Scotland. The inhumanity of that system constituted a real grievance, and he waited in impatience to know what the Government proposed to do. He knew that the hon. Gentleman the Secretary to the Local Government Board (Mr. Hibbert) had been as much in favour of the Report of the Committee as was the hon. Member for Stafford (Mr. Salt).

Mr. RAMSAY said, he thought hon. Members were importing an amount of feeling into the discussion that was incompatible with the proper discharge of their duties. The hon. Member who had just sat down (Mr. Synan) seemed to think the Scotch made their Law of Settlement what they liked. He (Mr. Ramsay) did not see how he was to prove that. The Law of Settlement, as the hon. Member for Glasgow (Mr. Anderson) had pointed out, was applicable not only to Irishmen, but to all persons who might become paupers in Scotland, and who were liable to be sent back from the parish where they became chargeable, if they had not acquired a settlement, to their own respective parishes. It was absurd, therefore, to speak of the law as a penal one against Irish paupers. It was, no doubt, a grievous hardship that a poor person in Scotland, who might have given his labour for the best part of his life in the large cities, should be sent back to a rural parish for relief, while those who had got the benefit of his labour were exempt from any taxation on his account. But that was the very state of matters which existed both in the case of Scottish and Irish paupers. The hon. Member had said paupers could not be sent to Scotland; but he (Mr. Ramsay) remembered that in the course of the 1879 inquiry it was suggested, though not proved, that Irish paupers had been sent over to Scotland at the expense of persons resident in the parishes to which they would otherwise have become chargeable. Whether that had been the case or not—and in the absence of evidence he did not attach much importance to the statement—there could be no doubt—and the fact was dreaded by Scottish Poor Law Inspectors—that if the law was altered in the way suggested by this Bill, persons who were not fit for labour would be sent over from Ireland to Scotland. The Bill was very unsatisfactory in this respect, that it not only ignored the existing Law of Settlement in Scotland; but it provided that if any Irish pauper alleged that he had resided for three years in any part of Great Britain he should then become irremovable to Ireland. As the hon. Member for Glasgow (Mr. Anderson) had asked, how was the three days' residence to be proved? It was impossible that they could have any evidence except the pauper's own word. The Bill, as it was presented to the House, was so imperfect that, though he should be glad to see some modification of the law with reference to the removability, not only of Irish paupers from Scotland to Ireland, but of Scotch paupers from one parish to another in Scotland, he could not support the second reading, and if it went to a division he should vote against it.

Sir HERBERT MAXWELL said, he could scarcely amplify the able and accurate statement of his hon. Friend the Member for North Ayrshire (Mr. Cochran-Patrick). At the same time, he must deny the existence of the feeling of animosity and jealousy which had been alleged to exist in the minds of the Scotch Members against the Sister Island. The manner in which his constituency was affected by its proximity to Ireland was the only circumstance that induced him to give Notice of opposition to the Bill. Among all the duties which fell to the lot of a country gentleman, there was none, in his experience, more difficult than the administration of the Poor Law; and it was because he foresaw, if the Bill was passed, and the power of removal taken away, a great and serious increase in these difficulties, that he was prepared to offer the strongest opposition to the measure. It was the power of removal to which they attached importance. His hon. Friend the Member for North Ayrshire had shown that out of 100 cases in which the power of removal might be exercised, it was only exercised in about 10 per cent. But the existence of that power of removal was a very great safeguard against undue and unmanageable multiplication of applications for relief. He thought it was a very strong point indeed that was brought forward by the hon. Member for Glasgow (Mr. Anderson). How was residence to be proved? The number of these cases would be enormous. During the past year the number of vagrants challenged by the constabulary in Ayrshire was stated at 17,000 odd, and of these 6,260 were Irish. How would it be possible to test the statements of these 6,000 and odd Irishmen if the statements that they had resided for three years anywhere in Scotland was to be held sufficient to prevent their being sent home as paupers? He thought that Irishmen might be content with the fact that the Scottish authorities did not exercise the powers that they possessed at all unduly or indiscriminately. The hon. Member for Limerick (Mr. O'Sullivan) had mentioned the case of lunatics, who, on removal to Ireland, could be sent back to this country. He (Sir Herbert Maxwell) held in his hand a list of cases of lunatics removed by Govan parish in Glasgow to Ireland during the last eight years, and who subsequently returned. He had seven cases in which the lunatics removed had returned repeatedly. Here was one case—and they all appeared to be about the same character—Edward M'Dale was removed from Govan to Ireland in 1864, and he returned again in 1865. He was again removed, and returned in 1866; and it also appeared that he had returned after removal in March, 1879, July, 1879, and January, 1880, showing there was no proper control of lunatics in Ireland, because they returned as fast as they could be sent back. Another case was that of a lunatic named Hutchinson, who was removed from Scotland in 1877, and was back again within a week. He trusted that the House would hesitate before adding to the difficulties of those who were endeavouring honestly, and with a considerable degree of success, to cope with the question of outdoor relief, and all its attendant difficulties.

Mr. HIBBERT said, that, after the remarks of the hon. Member opposite (Sir Herbert Maxwell) with reference to himself as a Member of the Committee, he was bound to offer a few observations upon the Bill; but he must say, in the first place, he did not run away from any part he took in that Committee in favour of mitigating the objections to the Law of Removal, nor did he at all run away from the Report that was made to the House by the Committee in favour of the abolition of the Law of Removal. At the same time, whilst he said that much, he must also state to the House that he only agreed with the proposal to abolish the Law of Removal on the condition stated in that Report. Having made that explanation, he had to consider whether that Bill at all carried out the Report of the Committee, and whether the principal proposal in it was not of an entirely different nature. He regretted to find, on examining the Bill, that it was not at all on the lines of the Report. Although it sought to do away with the hardships inflicted upon Irishmen who were removed back to their country from England or Scotland, it did so in a very different way to that recommended by the Committee, and it did it in a way that he was sure those who had had much to do with Poor Law matters would see it was almost impossible to carry out, because it made a settlement either in England or Scotland of 12 months do away with the power of removal. [Mr. O'Sullivan: Three years.] He accepted the correction, and said he thought it would be impossible to work the Bill. He did not know whether his right hon. Friend the President of the Local Government Board would assent to the Bill being read a second time; but he knew he was willing to listen to all the recommendations that might be made to him concerning it from any part of the House. With respect to the grievances sought to be removed by the Bill, he did not say for a moment that the grievances were not serious ones, and very hard for the Irish people, and everyone who had seen the cases referred to must come to this conclusion. A list of the cases had been given to them by Mr. Bourke, one of the Local Government Board Inspectors in Ireland, of a most harsh description, showing that persons were removed back to Ireland after a residence in this country of 50, 40, and 30 years. He also found, from a Return made in 1878 to the House of Lords, covering the period from January, 1876, to July, 1878, a space of two and a-half years, that 944 persons were removed from England and Scotland to Ireland; and, on looking the cases over, he found that 10 persons had been 50 years absent from Ireland, 21 had been absent between 40 and 50 years, 54 had been absent between 30 and 40 years, and 59 had been absent from Ireland between 20 and 30 years.

Mr. W. E. FORSTER: Have you the difference in figures as to those belonging to England and Scotland?

Mr. HIBBERT replied, that he had not; but he had no doubt a larger proportion of them would be found to come from Scotland than from England, as the law of Scotland was very much more severe than the law of England. He found in another Return that between the years 1871 and 1878 there were 1,825 persons removed from Scotland to Ireland, and 592 were removed from Scotland to England. When they came to contrast the law as it existed in England and Scotland, they found that in England there had been going on for years past, ever since the year 1846, a great series of efforts to mitigate the hardships and harshness of the Law of Removal. In 1846 the status of irremovability was given not only to Irish, but to English and Scotch paupers, by a five years' residency without relief. In the year 1861 the five years' residence, which gave a status of irremovability, was reduced to three years, and the Union settlement was substituted for the parish settlement, which was a great advance in the law. In 1866 the three years were reduced to one year, and in the year 1876 there was also passed an amendment of the law, which gave a residential settlement in England after three years' residence in any parish; so that there had been going on since 1846 a great mitigation of this law; and he did not find from inquiry, or from the evidence given before the Committee, that these various steps that had taken place in England had the result of increasing to any large extent the applications for relief by Irish paupers. In fact, he should say, if anything, the numbers had decreased instead of increased. With respect to the way in which the law was worked in England, he might say that it was given in evidence before the Committee that there were a great number of the large towns in England, such as Manchester in particular, to which he would refer, where, for the last 10 or 12 years, they had not used this power of removal with respect to Irish or any paupers; and it was further given in evidence that the adoption of that course had not increased the number of applications for relief in Manchester or elsewhere. These towns relied upon a strict administration of the law with reference to all classes of paupers, and he believed that was far the best way of meeting the question. There might be a strict administration of the law in one place and a lax administration in another; but a district where the law was administered with laxity was sure to suffer in the end. It was given in evidence—and the House, he thought, was bound to take notice of the fact—that there were places in the country, such as Liverpool, Bristol, and one or two other seaports, which would suffer very seriously if the Law of Removal were to be abolished entirely; and, therefore, he thought it would be necessary that some provision should be made, in any alteration of the law, to protect the interests of those towns. In the time of the Irish Famine, Liverpool, he believed, suffered most severely; but the witnesses from Liverpool, in their evidence before the Committee, stated that they had not any great grievance to complain of at the present time, or that a large number of persons came over from Ireland and applied for relief. They were able to cope with matters by a strict system of administration of the law. The question was, how could they deal with the matter so as to mitigate the hardships, and at the same time protect the seaport towns? He thought it might be done in the way suggested by the Committee in their Report, or in a more simple and uniform way, by altering, instead of entirely abolishing, the Law of Removal, by reducing the status of irremovability to a smaller period—to six or three months—and that would be sufficient protection to the town he had named. If they altered the law with respect to residential settlement, and extended it from the parish to the Union, he thought they would by those means get rid of a great part, if not the whole, of the cases now occurring of persons being sent back to Ireland who had given their labour and the sweat of their brow to the industry of the country in which they had resided for periods varying from 20 to 50 years. On that point he entirely sympathized with the hon. Baronet who moved the second reading of the Bill (Sir Hervey Bruce), and with those hon. Members who had brought in the other Bill, which had not been discussed; but his right hon. Friend would state the course he intended to take in the matter. With respect to the Scotch question, he did not know that he had a right to speak, for his right hon. and learned Friend the Lord Advocate represented Scotland; he could not, however, avoid saying that the evidence that came before the Committee on which he sat showed a very harsh state of the law. In Scotland it required a residence of five years to acquire a settlement, and there was attached to it the serious condition that they must reside in the parish for one year in the subsequent five years. He hoped his hon. Friends from Scotland would be able to follow in the footsteps of England, and make some mitigation in the law with respect to Irish paupers sent from Scotland. He thought by doing that they might thus be able to make a great advance in the way of doing something to get rid of the grievance, which was a real one to the people of Ireland.

MR. PELL said, he entirely agreed with the principle of the Bill, if he correctly understood its aim to be the amendment of the still extremely severe Law of Settlement. If the House passed its second reading, in the interests of a free supply of labour, it might be possible in Committee to introduce satisfactory Amendments, for the present law on this subject did not operate to the advantage of either England or Ireland. They were all very glad to have the assistance of the Irish at their harvesting operations and other work in England. They could not very well be done without. But how did the present law operate? Suppose a man came from Ireland to England, and worked in one district for one year and a day, he became irremovable, and, if he became destitute, would be chargeable to the rates as long as he remained there. But if he removed to another parish, and became destitute there before 12 months, he could be sent back to Ireland, though he might have been 20 years in England. The law, therefore, deterred a man who was out of employment in a district where he resided for over 12 months from moving elsewhere in search of employment. That was an unreasonable law, and one which required amendment. He suggested that the three years' residence, which gave a settlement under the late Mr. M'Carthy Downing's Bill, should be reduced to one year's industrial occupation. He would be very glad to see the Law of Settlement abolished in England and Scotland. If the Poor Law was administered with firmness and discretion, it would most effectually prevent their being overburdened with paupers. He hoped that they would not reject the Bill, but that in Committee they would try to amend its provisions; and, when so amended, he trusted to see its benefits extended to England and Scotland.

MR. W. E. FORSTER said, his experience of the work, as President of the Local Government Board in Ireland, had led him to believe that the grievance alleged to exist by the Bill was not a case of theoretical, but of practical hardship. Notwithstanding the divergent views which had been expressed, he thought that appeared to have been acknowledged by the House; and, although it was rather a strong statement to make that the Law of Settlement should be altogether abolished, it was, on the one hand, certain that there seemed to be a very considerable agreement on the part of all the hon. Gentlemen who had spoken that there should be some protection against the shipping of paupers—if he might use the expression—from Ireland to England or Scotland—a matter upon which he was not very much afraid himself that it would happen; but they ought to guard against it; and also that a provision should be inserted, if the Bill went into Committee, in protection of the seaport towns, such as Liverpool and Glasgow. That, he thought, would be sufficient to guard against the evil complained of. On the other hand, there was, at the same time, he thought, an arrangement that was most unfair to the Irish ratepayers and cruel to the Irish labourer, that, after having spent the greater part of his years in labouring in England or Scotland, he should be sent back to die, or to be taken care of at the expense of the Irish people. He (Mr. W. E. Forster) thought that did happen and he thought it ought not to happen, and he was glad to see there was a general agreement that it should be prevented. The question was, how? His hon. Friend who had just spoken (Mr. Hibbert) was in favour of abolishing the Law of Removal; and he (Mr. W. E. Forster, was very much inclined to agree with him upon that point, and to vote in that direction. But, no doubt, that was a considerable measure, and he doubted whether it was one which could be easily carried through by the Bill of a private Member. They must remember that though most hon. Members admitted that this was a very great grievance as applied to the Irish labourer, yet it was not a very easy matter to get the House to assent to a proposition for putting him in a different position to the English labourer. Take, for instance, the districts in which there was the chief demand for labour, such as his (Mr. W. E. Forster's) own district in Yorkshire. The Irish labourer had a right to say he should be treated quite as well as the Dorset or Norfolk labourer, and he took it he was treated as well. At present they had no power of removing an Irishman any more than they had an Englishman, and he supposed that it was the same in Scotland; but, owing to the arrangements of the Poor Law in Scotland, the case was rather hard. They had there nothing corresponding to Union chargeability; and if a man in the natural course of his labour removed from one district to another, where his employment was of the same kind, or if he moved from one part of the town to another because he found one place more suitable than another, he lost his parish, and, being an Irishman, then became chargeable on Ireland and not on Scotland. That certainly was unfair, and was prevented, practically, in England by the Union chargeability provisions. What was to be done? The suggestion of the hon. Member who had spoken last (Mr.

Pell) was to accept the second reading, and get it changed in Committee into a Bill grasping the whole question. He (Mr. W. E. Forster) should be very glad if the Government could consent to do that. They might, perhaps, say they could not do that, as that would be, under the cover of a Bill merely relating to the position of emigrants from Ireland to England, really changing the whole Law of Removal and of Settlement. But they knew very well how difficult it was to find time to bring in Government measures, and how difficult it also was to pass them. One of two things, he thought, his right hon. Friend the President of the Local Government Board (Mr. Dodson) might see—either that he would see how far they could, in Committee, make the Bill generally applicable, or that the Government would give some sort of assurance that they would be able to deal with the question, if not this year, very speedily; and he would suggest the consideration whether it would not be a saving of time to do it this year. If his right hon. Friend was not prepared to take that course to-day, he would recommend the hon. Baronet to accept an adjournment, in the hope that the Government might be able to take that course. Though it might be much more easily done by a Government Bill, it was not easy to get one; and perhaps it would be well to take advantage of this Bill in the hope of its being altered in Committee.

Mr. BLAKE said, he could give the House many instances of the very great hardship imposed by the present state of the law on persons who had left Ireland at a very early age, and who, having spent the whole of their best years of labour in England or in Scotland, were sent back to be supported in Ireland when overtaken by pauperism. He would remind the House, with regard to statistics that had been quoted, that out of 18,000 vagrants in Ayrshire, 6,000 were Irish; that these men, in wandering from place to place, must have been counted several times over, so that instead of 6,000 there was only 1,000. He maintained that the dietary in the Irish workhouses was utterly inadequate to support men in a state of health, and to enable them when they came out to return to labour again. Ten years ago the dietary in the Irish gaols was quite as bad as that in the workhouses; and the result of a considerable investigation with regard to the question, and particularly as to the re-commitments, was, that the scale of dietary was found to be so low as to reduce men to such a state that they were unable to labour, and, consequently, were obliged to recur again to their old habits of stealing. He (Mr. Blake) had a Royal Commission appointed to inquire as to the necessity of a better dietary, and a supper was then allowed. Some alteration was certainly required in the Union dietary.

Sir EDWARD COLEBROOKE said, that, having had some practical experience of the working of the Poor Law in Scotland, he was quite prepared to admit what had been stated by the hon. Member opposite (Mr. Salt) of the evils that arose out of the Law of Removal, and the hardships that were consequent, not only on Irish, but on English and Scottish paupers. It arose from the habits of the people being migratory, especially in the manufacturing districts. They shifted from place to place, and never acquired a residence in any one place. The hardship was a very cruel one, where persons worked for 30 or 40 years in a country, and at the end of that time were transferred to England or Ireland, or some remote district, because they had not acquired a distinct settlement in a particular parish, and were unable to work. He would, therefore, rejoice in any change of the law in Scotland, particularly any in which the conditions requisite for settlement were limited both as to time and space. He agreed with the hon. Member for Glasgow (Mr. Anderson) as to the expediency of having larger areas of chargeability applicable to removal in case the Removal Law was altered. If his right hon. and learned Friend the Lord Advocate saw his way to introduce a Bill for the improvement of the Scotch laws in this matter, there were many points in the Scotch Poor Law waiting for settlement. If the right hon. and learned Gentleman proposed to reduce the period required to give a settlement from five years to three, or even one, and at the same time to retain the Law of Settlement, he (Sir Edward Colebrooke) would be with him. He could wish the Lord Advocate to introduce a Bill, and, if possible, carry it through. He (Sir Edward Colebrooke) was not prepared to pledge himself how far he would go; but he would give it a favourable consideration. He maintained, however, that if there was evil attending the Law of Settlement there was also some justice in the principle; for, while there were cases of 30 or 40 years' residence followed by transference, there might also be cases of 30 or 40 days' residence. Was it just in such cases that a man should be chargeable to a Union where he had only worked a short time, and had worked 30 or 40 years in other parishes? It was to deal with this that the Law of Settlement was introduced, and he held it was a just law. The protection which was aimed at, though, was not against accidental chargeability, but against the wilful act of neighbouring parishes throwing their poor on the rates of other parishes. It was protection not only against the Irish, but against their neighbours; and the hardship arose from causes not apprehended when the law was introduced, but which might be mitigated in the way he suggested. The question needed careful consideration, and he did not think they could get the security which was needed against the invasion of paupers merely by strict administration of the Poor Law itself. No doubt, something could be done in that way, although it might be a hardship on the poor people who become chargeable. They ought rather to bear some evils under the Removal Law, which affected only a few cases, than to adopt a course which would add to the severity of the Poor Law everywhere. It would be quite possible, by increasing the workhouse accommodation, and by the strict application of the workhouse test, to diminish the invasion; but the task would be very hard. The question raised was, however, a wide one; and as he understood the hon. Gentleman the Secretary to the Poor Law Board had only expressed his own opinions, he thought there ought to be an opinion expressed by the Government on the question of chargeability. He did not think they could follow the advice of his right hon. Friend (Mr. Forster), by introducing within the scope of this Bill an entirely new set of clauses. The question was a very difficult one, and he should be glad if Her Majesty's Government could take it up and deal with it in a practical way. To enable the Government to proceed with practical legislation, he appealed to the Irish Members not to block Bills which were of a practical character. He did not think it would be consistent with the usage of the House to convert this Bill, introduced by a private Member, into a general law for the whole Kingdom by which the Removal Law would be abolished.

VISCOUNT EMLYN said, he thought that the discussion had been pretty much of a duel between Scotch and Irish Members; but, at all events, it had clearly shown one thing—namely, that the Law of Removal all over the country was practically dead. It was most mischievous in its operation, interfering improperly with the free and full circulation of labour, and ought to be abolished. It seemed to be admitted that the burden of the evils connected with the Law of Removal rested chiefly upon the poor classes in Ireland. What was it that Scottish Members were so much afraid of? They heard much about the inundation of paupers who would come into Scotland; but, as far as he could understand, the greatest grievance of all, as affecting the Irish paupers, occurred to those Irish people who went to Scotland, on account of the peculiar harshness of the law in Scotland with regard to their obtaining a settlement in that country. It had also been said that a uniform dietary in workhouses would become necessary in Scotland. If the Bill effected that object, it would be a very desirable result. With regard to the Law of Removal, in many large towns it was now found to be unnecessary, and the sooner it was done away with the better. A Bill ought to be introduced by the Government for that purpose, and he believed there would be such a feeling on all hands in favour of the abolition of the Law of Removal that the Bill would easily pass. He trusted that if an absolute pledge were not given by the Government to introduce a Bill dealing with these matters, the hon. Member in charge of the Bill (Sir Hervey Bruce) would press the second reading to a division, by way of protest against grievances which were admitted by the Government themselves. The matter might be dealt with by a Bill relating solely to the Irish poor; but it would be better dealt with by a Bill of wider scope. No doubt, in establishing a status of irremovability, and giving a pauper an absolute settlement, difficulties would occur. It would be necessary to prevent an accidental settlement being obtained, or persons going or being sent to certain favoured localities. Perhaps it would be better to go a step further and get rid of the Law of Settlement altogether. In the case of the seaports, it would, no doubt, be necessary to make some qualification, because they would otherwise be liable to support persons who at once, on landing, became chargeable to the rates. He trusted that the desirability of removing this Irish grievance would be pressed upon the Government by taking a division upon the second reading of this Bill, if a pledge to deal with the matter were not given, and if that course were taken he would give it his support.

Mr. WHITLEY said, that he represented a constituency which was, perhaps, more affected by the Bill than any other constituency in the Kingdom; and he was glad to see in the course of the debate that Members who had spoken on both sides of the question had said that seaports should be considered in regard to the question in preference to inland towns. In Liverpool and the neighbourhood there was but one feeling with regard to the serious effects which this Bill might have if it was passed in its present shape. Speaking for the Poor Law Guardians of Liverpool, they had always, as a general rule, dealt in the most kindly way with the resident Irish who had come upon the rates; but what they felt was that the Bill, in its present shape, would make the vagrant poor chargeable to the town in which they might reside at the moment. He quite agreed that there would be great hardship in sending back to Ireland those who had served the best of their days in England; but what they had to fear was the vagrant poor, those who had not been working in the town for any length of time, and who, under this Bill, might be chargeable to the place they resided in when they came upon the rates. What he felt was that it was impossible, in a Bill of this kind, to deal with the whole question. This Bill dealt simply with the Irish poor, and it would put the Irish poor in a position in which the English poor were not placed. They would therefore have one law with regard to the Irish poor, and another law with regard to the English poor; and he was quite sure that the Irish Members would see that it was impossible to deal with the Irish poor on a different principle to that which they dealt with the English poor. It had been suggested that the Bill might be changed; but he wished to point out that if it was changed at all it must deal with the whole question of settlement; and he thought that one thing must impress itself upon the mind of every Member if they were to deal with the whole question of settlement, and to re-adjust the Poor Law, and that was that it must be done with regard to the question of local taxation. It was impossible to deal with this question so as to throw increased taxation upon one town or one district without dealing with the whole question of the Poor Law administration and with the enlargement of areas of taxation, and it would be very unfair to deal with that question in a Bill of this kind. He felt sure that it was impossible for the President of the Local Government Board to accept the Bill in its present form. Was he prepared to enter upon the whole question of taxation? It would be a very wide and a very vexed question. He (Mr. Whitley) was prepared to admit that if the area of taxation was increased he should be very glad indeed—and he was sure his constituents would be very glad indeed—to see the Law of Settlement abolished; but they could not abolish the Law of Settlement if at the same time they restricted, as they now restricted, the area of taxation. He could assure the House that there was the very strongest feeling in Liverpool that this Bill would tend to a great increase of vagrant poor. It had been admitted in the debate that there had not been many cases of hardship in sending poor persons from Liverpool to Ireland. They had always welcomed the Irish amongst them; at the same time, they did not attempt to conceal that they had added very largely to the Poor Law taxation of Liverpool; and the taxation in no town or city in the Kingdom contributed more to the support of the Irish poor than that of Liverpool. But so long as the Irish had been industrious and resident there, they had been quite willing to bear that taxation. What they felt was this—that in the case of people travelling from the South to the North of England, who might be vagrants from city to city and town to town, it would be very hard indeed that they should be settled on the last locality they called at; and as Liverpool had a large Irish population—at the present time about 160,000—it was a very serious question affecting Liverpool. He felt that while he agreed that the object with which the hon. Baronet had brought forward this Bill was a very laudable one, and while he deeply sympathized with the remarks made by Irish Members with regard to the cruelty of sending back to their own land those who had been industrious in England, yet at the same time it would be utterly impossible to accept this Bill in its present shape, for it dealt only with the Irish poor, and left untouched the condition of the English poor; and it was impossible to apply one law of settlement with regard to the Irish poor and another law with regard to the English poor. The other question also remained—how they could deal with the Bill so as to include the abolition of settlement. He did not think that they could. He did not think it was possible for the President of the Local Government Board to accept the Bill with any hope of making it apply to the abolition of the poor settlement. The question must involve the Law of Settlement; and, until they were prepared to bring forward a Bill to deal with local taxation, spreading it over greater areas or making it payable out of Imperial taxation, he did not think they were in a position to discuss the important question raised by the Bill brought forward by the hon. Baronet.

MR. PUGH said, he was glad to hear the hon. Member for Liverpool say the present law ought to be done away with. Although he agreed in much that had been said by the hon. Member, still he believed that the objections which he had raised in reference to dealing with the Irish and English and Scotch poor in a different manner could be remedied in Committee. The question should be dealt with in a broad and liberal spirit. He would remind the House that the Law of Settlement had its origin in an Act of Charles II. Poor persons, as appeared by the Preamble, settled in the parish where they found most waste land and most wood; they cut trees for fuel, and when they destroyed all the trees they went on to another parish. The law was soon relaxed, so as to interfere with persons only when they became chargeable to the parish to which they had removed. The tendency of modern legislation was to do away with the restrictions that existed; and he hoped the President of the Local Government Board would devise some satisfactory mode of still further carrying out that object. The hon. Member for Liverpool had said that any Bill upon the subject must touch the question of local taxation; but the Union Chargeability Act itself, so far as regarded this point, did not touch that question, except in the slightest manner. Unless the President of the Local Government Board would give a satisfactory pledge that the present question should be dealt with in some other way, he should have no hesitation in voting for the second reading of the Bill, with a view to its amendment in Committee.

MR. MACARTNEY said, it was unfair that English towns, which for years reaped the fruits and benefit of Irish labour, should, when the people became old and incapable, throw back the paupers upon the rates of Ireland. He hoped that the suggestion of the noble Lord behind him (Viscount Emlyn), who had been a Member of the Committee upon this question, that the matter should be dealt with by the Government would be considered. It was, no doubt, difficult to pass any measure which the Government opposed; but this was a grievance so acknowledged and felt all over Ireland that he hoped the Government would assent to the Bill. If the Law of Settlement and Removal worked unfairly in England, surely it did so in Ireland. He could not understand why, if a man spent all his labour and strength in a particular district, he should not, when he became incapable, be cared for by that district. The hon. Member for Liverpool (Mr. Whitley) had remarked that there was no place more heavily charged for Irish paupers than the city he represented; but, on the other hand, there was no place which had profited so much by Irish labour as Liverpool—it was, in fact, indebted for its prosperity to its contiguity to Ireland.

MR. T. A. DICKSON said, he thought the remarks of the noble Lord opposite (Viscount Emlyn) had been a valuable contribution to the present discussion. They had heard from the hon. Member for Stafford (Mr. Salt) that the subject had been before the House ever since the year 1847; it had been before Committees for the last

10 years at least; but nothing had been done, and they were as far off as ever from a settlement of the question. Why should it not be settled this year? He would propose that the Government, instead of bringing in a Bill on this subject, should frame a Bill and submit it to a Committee consisting of English, Irish, and Scotch Members. If that were done he had no hesitation in saying that when the Bill was reported on by them there would be very little difficulty in passing it through the House; otherwise, no progress whatever would be made in practical legislation. It was said that if the present law was abolished there would be an influx of Irish paupers into Scotland. There was no ground whatever for remarks of that kind. The Guardians of the Unions in Ireland would tell them that the paupers were well clothed and well fed, and he denied that there would be an influx of paupers into Scotland. Without cheap Irish labour in her foundries and coal-pits Scotland would not be occupying the position she did to-day; and he asked Scotch Members whether they would be willing to part with that labour now? When men came over and spent 30 or 40 years of their lives in enriching a country, surely it was not fair that they should be sent back in their old age. He trusted the President of the Local Government Board would hold out some hope that the question would be settled, one way or another, without further delay.

Mr. DODSON said, that, although he could not look on this Bill as a Bill of a practical character, yet he admitted that it had served as the basis of a very valuable and useful discussion. He could quite enter into the feelings of Irish Members in regard to that matter, because in Ireland there was no Law of Removal or of Settlement; and they, therefore, not unnaturally felt it a hardship that an Irishman who came to England, and there afterwards became a pauper, by our Law of Removal and Settlement, was thrown as a burden on their hands. At the same time, he must point out that there was nothing gained for the securing of an alteration of the law, which might be thought desirable, by exaggerating the case against the present law. Our Law—he was speaking now more particularly of England—our Law of Settlement and of Irremovability in England had been, for a long series of years, continually undergoing a succession of relaxations. We had been gradually approximating to that which he supposed would be the ultimate result—the extinction altogether of removal and of settlement. Many hon. Members had spoken as if the case of an Irishman in England were exceptionally hard; but an Irishman who came to England had precisely the same advantages and disadvantages as an Englishman. The English law stood in this way—A man who resided three years in a parish acquired a settlement. That applied equally to a Scotchman or an Irishman in England as well as to an Englishman. If an Irishman came to England and resided three years in a parish, without receiving relief, he acquired a settlement and chargeability to that parish, and was no longer removable to Ireland. Again, if an Englishman resided one year without receiving relief, not merely in a parish, but within the larger area of a Union, he was irremovable from that Union. But that, again, was not peculiar to Englishmen, but applied to Scotchmen or Irishmen if they came to this country. With those increased facilities for acquiring settlement and irremovability in England, the number of removals to Ireland had considerably diminished. In 1868 the number of removals was 508; in 1876, the last year for which he had the Returns, the number was only 196; and out of this 196 there were 85 from Liverpool. He did not say that there might not be found here and there a case in which a removal amounted to a matter of hardship; and he did not complain if Irishmen took hold of those cases and urged them as a ground for an alteration of the law. But they might happen equally to Englishmen and Scotchmen under the very same law. The number of cases of hardship from removal to Ireland had tended to diminish, because the alterations which had been made in our laws of late years had been constantly in the direction of securing greater care and supervision, and more considerate treatment to the individuals who were removed. Since 1860 it had been provided that warrants of removal to Ireland must be signed at Petty Sessions; the pauper on his removal was accompanied by a parochial officer, and delivered at the workhouse of the Union of the port nearest to his place of destination; and, again, women and children were not allowed to be sent over as deck passengers. He merely mentioned those things; they did not, of course, affect the general principle as to removal. But he had to look at that Bill and see what could be done with it. The effect of the Bill was this—that an Irishman in England would be placed in a better position than an Englishman. That was not a proposal to which he thought those who represented the English ratepayers and English working classes could be expected to assent. Our laws in this country as regarded the treatment of persons who became destitute must obviously be one and the same for all persons, whether they were Englishmen, Scotchmen, or Irishmen. That was the fundamental objection to that Bill. Under the Bill an Irishman who had come over to England might have been on the tramp all the time since he came; and if he had been three years in England he was to be irremovable from this country. He was not to acquire a settlement only, as he might now do by a three years' residence in a parish; he was not to acquire irremovability, which he might do now by a one year's residence in a Union, but was absolutely to acquire irremovability from England by being in England three years. That was different from the position of an Englishman or a Scotchman. The position of an Englishman, a Scotchman, and an Irishman in England were now the same. If they adopted that Bill the Irishman in England would be put in a different position from either the Englishman or the Scotchman. With regard to the Scotch law, that was a matter about which Scotch Members were more competent to speak than he could claim to be; but he should hope to see the Scotch law on that subject follow, as far as possible, in the footsteps of the English law. Indeed, he should like to see the law with respect to destitute persons made the same, as far as practicable, throughout the United Kingdom. But some Gentlemen said, "That being so, let us read this Bill a second time; we can amend it in Committee, and make it, at all events, applicable to England." But that would be very much like repairing the Irishman's musket they had heard of, which required a new lock, stock, and barrel. If they took that Bill they must give it a new title, a new Preamble, and a new clause. Apart from that trifling objection, they must alter every word in the Bill; and he should like to ask English Members who represented English ratepayers, English Guardians, and English working men, whether they thought it would be desirable or fair to make a revolution in our Law of Removal and Settlement under cover of a Bill introduced by a private Member nominally for removing an Irish grievance? If they were to make such a change of the Law of Removal and Settlement, it should be done by a Bill brought in plainly and above-board, with a clear declaration of the object for which it was proposed. He could not assent to the second reading of the present Bill under the plea that in Committee it might be entirely transformed. In fact, that would require too complete a change to be consistent with the Rules and practice of the House. And even if such a change could be effected it would be unfair to the English ratepayers and to those who administered the Poor Law in England. At the same time, he was anxious to see the Poor Law in England and in Scotland advance further in the direction of relaxation, and approximating more and more to the extinction of removal and settlement. So far as the Government were concerned, they were engaged in considering what could be done in the matter; and they hoped to be able this Session to lay upon the Table of the House a Bill for mitigating and further relaxing the Law of Removal in England. He did not wish to be compelled to vote against the second reading of the Bill if he could avoid it; and what he should prefer to see done was the Amendment withdrawn, on the understanding that the Bill be withdrawn also. If the Mover of the Amendment and the Proposer of the Bill were not prepared to consent to these withdrawals, then he should be obliged, though with regret, to go into the Lobby against the second reading for the reasons he had endeavoured to state.

MR. P. MARTIN said, he thought the statement of the President of the Local Government Board amounted simply to an announcement that the Government were prepared to do nothing in a case where it was admitted on all hands that a flagrant injustice existed.

Mr. DODSON: I said we hoped to introduce a Bill this year.

Mr. P. MARTIN said, a similar statement was made year after year in answer to the complaints of the Irish Members. Why was no Bill introduced last year? Was it not trifling with that serious question to say the matter was still under the consideration of the Government? When the late Liberal Government were in Office, the President of the Local Government Board informed Mr. M'Carthy Downing in 1871 that they would deal with the subject as soon as they had heard from the Heads of the Departments. The Heads of the Departments had since been consulted, and he believed the result of the consultation would be found in the Blue Book of Evidence which was taken by the Committee of 1879. Was it a satisfactory answer to Irish Members, who had been complaining of this gross injustice for years, to be told by the Head of the Local Government Board that he would consider the matter, and, if he had time, he would bring in a Bill at the close of the Session? He hoped, under the circumstances, that the Bill would be pressed to a division. The Irish Poor Law Code was governed and regulated by Statutes distinct and separate from those in force in England. The Irish law in respect to chargeability and the right of removal differed, in many essential particulars, from the English and Scotch law. Englishmen and Scotchmen could not be removed from Ireland if they became destitute. He therefore thought the Irish case should be dealt with separately, and not mixed up with the cases of England and Scotland, as the President of the Local Government Board considered.

Mr. MOORE said, he would also express a hope that the hon. Baronet the Member for Coleraine (Sir Hervey Bruce) would not desist from his intention to divide the House, as he believed, from the tone of the House, he would get very valuable and wide support; and he did not think there was anything in the very milk-and-water statement of the right hon. Gentleman the President of the Local Government Board (Mr. Dodson) to disturb his opinion. The right hon. Gentleman asked them to think of the English ratepayers. What was the position of the English ratepayers? In consequence of the present state of the law the wealthy employer was enabled to play off, the cheap labour from Ireland against the English labourer, and when the men became weak and infirm throw them off and send them back to Ireland to be a burden upon that country. They had had Committee after Committee upon the question, all admitting the injustice inflicted upon Ireland by the present state of the law; yet they were now to be told by the right hon. Gentleman that he was still considering the matter. In his opinion, the answer they had received was most unsatisfactory; and he, therefore, hoped a division would be taken.

Mr. GIVAN said, he was bound to protest against the opposition offered to the Bill by the President of the Local Government Board, which was substantially saying that this subject must continue to be a constantly-recurring source of debate in this House, and of agitation in Ireland. The speech of the President of the Local Government Board was very unsatisfactory. Considering the very general opinion that existed as to the necessity of dealing with the question, he regretted that the Government were not prepared to introduce a measure of their own. The hon. Member for Coleraine would, he hoped, take a division in order to enable the Irish Members to express their disapprobation of the course taken by the Government.

Sir HERVEY BRUCE, in reply, said, he was glad to find, from the observations made on both sides of the House, that the principle of the Bill was generally approved, although some hon. Gentlemen did not agree with the manner in which the Bill was drawn. He thought the speech of the hon. Gentleman who proposed the Amendment to the Bill was the best that had been made in support of it, because his only argument was that he did not like the Bill as regarded Scotland, and there the matter ended. He denied the statement that one of the reasons why Irishmen went to Scotland was because the food was very much better in the Scotch workhouses. As far as he knew, he believed it was the other way, because in the workhouse with which he was connected—and that was a fair type of all the workhouses throughout the country —the food was infinitely superior. He regretted very much to hear the speech of the President of the Local Government Board, which had done nothing to remove the difficulties in the way of Irish Members. He hoped the right hon. Gentleman would, before the end of the Session, bring in a larger and more extended Bill. He should have been very glad to have adopted the recommendations of the right hon. Member for Bradford (Mr. W. E. Forster); but as the President of the Local Government Board had completely thrown over these suggestions, he felt that there was no course open to him but to ask the House to divide, much as he should have liked to come to an amicable arrangement and understanding with Her Majesty's Government.

Question put.

The House *divided*:—Ayes 91; Noes 172: Majority 81.—(Div. List, No. 86.)

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for six months.

ALLOTMENTS BILL.—[Bill 90.]

(*Mr. Jesse Collings, Mr. Burt, Mr. Brand, Mr. Bryce.*)

SECOND READING.

Order for Second Reading read.

Mr. JESSE COLLINGS, in moving that the Bill be now read a second time, said, that the principle of the Bill had been already received with favour on both sides of the House; but legislation was postponed because the Allotment Management Act of 1873 had not received a sufficient trial. It had now done so, and its inutility had made more manifest the necessity for the present Bill. The object of the Bill was to oblige the trustees of charitable and common lands to let such lands in small lots to labourers and cottagers, instead of letting them in large quantities to farmers and others. According to this Bill, the cottagers or those concerned might, if necessary, apply to the County Court Judge for an order to compel the trustees to carry out the provisions of the Bill. The prejudices of farmers against such legislation were disappearing, for it was found that the only way of keeping the best labourers was to give them some interest in land which they could cultivate for themselves. He had received a large number of letters from clergymen and others urging that this legislation was necessary to prevent their districts becoming depopulated; and the Bishop of Ely had written an interesting letter, giving an account of a successful experiment he had made in the letting of land in small allotments. It was daily becoming more and more evident that, unless something of this kind were done, the redundant population of the towns would increase at an alarming rate, while agriculturists would lose the labour that was required for the cultivation of the land. He begged to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Jesse Collings.*)

Mr. BROADHURST said, he thought it highly desirable that the Bill should be passed. Labourers in rural districts were hard pushed indeed if they could not supplement their scanty wages by some little cultivation in the shape of garden or allotment ground. Many men in the country would have been unable to bring up their families in respectability except for the support they had derived from small plots of land which had been let to them. Besides, it gave a man something to do in his spare hours. He could speak from experience of the immense advantages derivable from the cultivation of garden plots.

Mr. CROPPER said, he was rejoiced to add a word in favour of this measure. He did not believe it could meet with any opposition in the House, and he was glad to hear that the Government intended to assent to the second reading. It would, however, be an improvement, in his opinion, if a provision could be introduced to the effect that glebes might be cut up for allotments.

Mr. ARTHUR ARNOLD thought the Bill would be of great value in reference to inclosures, as many schemes for inclosure had been rejected, because the allotments proposed to be made were so inconveniently situated that they could not be made use of. By the 5th clause of the Bill it was proposed to give power to let allotments inconveniently situated, and to take land in other parts of the neighbourhood. He wished to add an example to show how great was the desire of the poor to obtain allotments of this character. Mr. Henley, formerly a Member of that House, had upon his estate set aside 109 acres of land to be let in allotments of about one acre in extent, just as was proposed by this Bill. There were no conditions whatever attached to the letting. Any labourer, except a person of bad character, could apply for an allotment, and he was accepted as a yearly tenant. On the 109 acres there were 105 tenants. The result had been that one of the Assistant Commissioners employed by the Duke of Richmond's Commission had testified to the superiority of the crops on these allotments, as compared with the crops on the adjoining farms. The tenants occasionally clubbed together and hired a steam threshing-machine. The rental was about the same as that of other land in the locality, and the tenants of each allotment paid a local rate. The financial results were most extraordinary. During 45 years since the commencement of this mode of letting one-acre allotments the rents had been entirely and without exception paid; and the accounts in September, 1879, showed that only five out of the 105 tenants were in arrear of any sort. He did not think the President of the Local Government Board could desire stronger evidence than that to make him support the principle of this measure. The Reports of the Assistant Commissioners of the Royal Agricultural Commission showed that the farmers generally were now disposed to prefer labourers who had the advantage of allotments. The farmers said that one of the most beneficial results was that the children were in very early years trained to agricultural employment, and another advantage was that they acquired habits of thrift and industry, which were so valuable to all classes of the community. He trusted that the Bill would be passed, and that the result would be beneficial and speedy.

Colonel BARNE supported the Bill. He did not think the House wished to produce a race of occupiers on the Irish scale of two or three acres. Therefore, he thought that the allotments for labourers ought to be limited to something like one acre, whereon they might make a certain amount of money without endeavouring to live upon it—an attempt which must end in starvation.

Mr. WIGGIN said, he had great pleasure in supporting the second reading of the Bill, which must have a very beneficial effect in inducing the better class of labourers to remain in the districts in which their labour was required.

Mr. HIBBERT said, he was glad to be able to give the support of the Government to the second reading of the Bill; but he was bound to inform the hon. Member for Ipswich (Mr. Jesse Collings) that some of the clauses, particularly Clauses 4 and 5, would require consideration at the hands of the Government. He did not know that there was any great objection to the principle of the measure, but only to the mode in which the proposal was to be carried out. He entirely sympathized in what had been said in favour of the principle of allotments, for he was himself a trustee of charity land on which the very system proposed in this Bill had been carried out for 20 years with the greatest benefit to the people in the neighbourhood. With the understanding which he had mentioned, he would agree to the second reading of the Bill.

Mr. WILLIAMSON said, he was glad the Government had accepted the principle of this most valuable measure, and hoped they would have no objection to extend it to Scotland; and, in addition to dealing with the lands specified in this Bill, he sincerely hoped they would also deal with glebe lands.

Mr. WARTON protested against the additional work imposed by this Bill being thrown upon the County Court Judges.

Mr. GREGORY said, that he should support the second reading of the measure; but he felt that it required a deal of amendment in Committee with reference to many of its details. At least, that was his opinion after a first perusal of its provisions. There was the provision with regard to the trustees of charities being called upon to put up their allotments at annual tender. He thought that that plan might work unfairly and unjustly in the case of a man who, having improved his allotment, should have his rent raised in consequence at the end of the year. That would act very unfairly, and prevent holders of allotments from improving them as they otherwise would. Therefore, on the whole, although the Bill deserved support, he thought that it required considerable improvement in the direction which he had indicated.

SIR BALDWYN LEIGHTON supported the Bill.

SIR WALTER B. BARTTELOT said, that he had some experience of the working of charities referred to by his hon. Friend (Sir Baldwyn Leighton). He happened to be the Chairman of a Charity whose funds were equally distributed between the church and the poor of the parish. He could say that the trustees would be very glad to make as much rent as they could out of the land by letting it in allotments under certain circumstances and conditions; but that could not certainly be carried out in every case. The Charity Commissioners must know that the trustees of charities could not afford to let off the best parts of their land and leave the worst portion on their hands. The persons wishing to become possessed of allotments would only take the best portions; and, therefore, the clause in the Bill on the subject would require to be so amended that that injustice would be guarded against. On the broad question, he quite agreed that if a man had the time after a hard day's work to cultivate an allotment, it would be a good thing, for it would enable him to meet, perhaps, the rent of his cottage. But there should be no letting of land in such a quantity as would induce a man to believe that he could support himself and his family by confining his labour to its cultivation. The general principle of the Bill, under certain circumstances, might be good; but it might also be abused. He, however, would offer no opposition to the second reading of the Bill; but he hoped that the hon. Member for Ipswich (Mr. Jesse Collings) would carefully consider the provisions of his measure, and deal fairly and considerately with all the points that had been raised during the present discussion. It was clear that the details required to be extensively amended, and on the manner in which the hon. Member was prepared to meet the views of others depended the fate of the Bill during its future stages. He should not oppose the second reading.

Motion *agreed to.*

Bill read a second time, and *committed* for *Wednesday* 7th June.

ARKLOW HARBOUR BILL.—[BILL 137.]

(*Mr. Herbert Gladstone, Lord Frederick Cavendish.*)

CONSIDERATION.

Order for Consideration read.

MR. WILLIAMSON said, there were provisions in the Bill of a very dangerous character, and that it would not be of the utility that Irish Members supposed. He was not opposed to give grants of public money for the promotion and keeping in repair of all fishery harbours on our exposed coasts; but as regarded the East Coast of Scotland, the Government had recently given them to understand that no further grants of public money were to be given for these purposes. On the very day that declaration was made this Bill passed a second reading, and he believed his own was the only voice raised not in protest against it, but to call attention to the fact that one principle was applied to Ireland which was not applied to the other exposed coasts of the country. For himself, he should like to see £500,000 sterling given to harbour purposes every year; but he thought the piecemeal principle he had referred to of absolutely refusing even the consideration of these grants to Scotland rather a singular method of proceeding. On the understanding, however, that by granting this Bill the principle was to be applied all round, he would not oppose the Bill.

GENERAL SIR GEORGE BALFOUR said, that the present Government had taken up this question because the previous Government had committed themselves to the principle of a loan and a grant. He cordially agreed in many of the remarks which had fallen from the hon. Member for the St. Andrew's Burghs (Mr. Williamson), and was quite willing to see the system of grants for the purpose of improving all fishery harbours extended to England and Scotland. His own opinion was that many millions might with advantage be spent in the way of improving harbours; but the greatest care being taken to employ efficient engineers, and otherwise to provide against any waste of the money granted. The Government could not render a more useful service to the Kingdom than by examining into the results of all previous outlays, public and private, on harbours, with a view to expose the defects, as well as successes, in respect to the works. In that way, the knowledge, which too often died with the life of an engineer, would be placed on record; and thus the mistakes, as well as successes, would form guides to the engineers of the existing generation. Till then, money could not safely be invested in harbour works.

Mr. W. H. SMITH said, that a similar scheme had received the attention of the late Government, who, however, felt themselves unable to accede to the terms of the Wicklow Copper Mining Company, and were not disposed to pay money for what they considered of no value whatever. The principal difference between the present Bill and the Bill introduced by the late Government was that the present Bill involved a payment of £5,000 to the Mining Company, and also a larger expenditure upon the harbour than was previously contemplated. The present Government, he had no doubt, had fully satisfied themselves of the expediency of what was now proposed; and, therefore, he would not oppose the Bill.

Mr. WARTON said, he was in favour of making grants for the purpose of saving the lives of sailors, irrespective of the question whether they were the lives of English or Irishmen. He would, however, be glad to see the Irish bestir themselves a little more in the use they made of their own fisheries. He was surprised to find in Kerry—a county with over 210,000 inhabitants, and over 100 miles of coast line—only 21 persons were engaged in that industry; and he hoped they would in future show a greater disposition to help themselves in the matter.

Mr. H. S. NORTHCOTE said, he supported the Bill, because it was merely an enabling Bill to carry out an arrangement, the principle of which was sanctioned by the late Government, and also on the ground of general utility.

Mr. HERBERT GLADSTONE said, the principle on which the Government proceeded in this matter was the improvement of the Irish fisheries. He need not speak of the importance of bringing that before the House. With regard to the difference in principle between the two Bills, referred to by the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith), it was perfectly true that a sum of £5,000 was to be paid to the Wicklow Copper Company, and the reason was that unless that sum was paid it would be impossible for the harbour to be proceeded with. The Company had rights which they would not forego, and accordingly the Government were compelled to purchase them. Some further expenditure would also have to be incurred in consequence of a violent storm, in which the existing works suffered considerably. The details of the Bill had been carefully considered by the Select Committee; and he thought that the report of the engineer to the harbour was thoroughly satisfactory. He trusted his estimate of the cost of the work would stand the test of experience.

Bill, as amended, *considered;* to be read the third time *To-morrow.*

COPYRIGHT (WORKS OF FINE ART, &c.) BILL—[Bill 119.]

(*Mr. Hastings, Viscount Sandon, Mr. Hanbury-Tracy, Sir Gabriel Goldney, Mr. Agnew.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Hastings.*)

Sir H. DRUMMOND WOLFF said, he strongly objected to the Bill as it stood. In the first place, its drafting was very unsatisfactory, and the whole subject was one which ought to be dealt with by the Government. Last year the hon. Member brought in a Bill with 157 clauses, which might have been passed at any time of the morning, had it not been for the operation of the Half-past 12 Rule. The 4th clause of the Bill gave to any person executing any work of art the sole right of reproducing it in any form or material. Now, the present state of the law was this. If an artist sold his picture he might make an arrangement with the purchaser reserving the copyright to himself, otherwise the copyright lapsed. That was a very fair arrangement. But what was now proposed was that purchasers should be entrapped into buying pictures without knowing that the copyright did not belong to them. He could not conceive why a new arrangement should be made for works of art, while the great question of the copyright of literary works was left out of the question. He was anxious that there should be no legislation on copyright in this country until some arrangement was made with foreign countries on the subject. The hon. Gentleman was proceeding to read in succession several clauses of the Bill, and to comment on them, when——

MR. SPEAKER said, that it would be irregular to go through the Bill in that way, clause by clause.

SIR H. DRUMMOND WOLFF said, that he would, of course, obey the Speaker's ruling; but he observed that he did not see how it was possible to establish a copyright in photographs. They saw photographs published every day of what were called professional beauties, in every possible attitude. These were more popular matters of sale than the photographs of statesmen; but how were they to say what was copyright in them? A professional beauty might have a favourite attitude in which she sat to one artist. Was she not to be allowed to sit in that attitude to another photographer?

And it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

ARTILLERY RANGES BILL.

Select Committee on Artillery Ranges Bill *nominated* of:—Mr. ACLAND, Mr. CALLAN, Sir ARTHUR HAYTER, and Viscount LEWISHAM:—Power to send for persons, papers, and records; Three to be the quorum.

Ordered, That all Petitions against the Bill be referred to the Committee, and that the Petitioners praying to be heard by themselves, their Counsel, or Agents be heard against the Bill, and Counsel heard in support of the Bill.—(*Sir Arthur Hayter.*)

House adjourned at ten minutes before Six o'clock.

HOUSE OF COMMONS,

Thursday, 18*th May,* 1882.

MINUTES.]—PUBLIC BILLS—*Ordered—First Reading*—Local Government Provisional Orders (No. 6)* [166]; Local Government Provisional Orders (No. 7)* [167]; Local Government Provisional Orders (No. 8)* [168]; Poor Law Settlement)* [170]; Poor Rates* [171].

Second Reading—Prevention of Crime (Ireland) [157], [*First Night*], *debate adjourned;* Customs and Inland Revenue Buildings (Ireland)* [156].

Committee — Report — County Courts (Ireland) [18-169]; Metropolis Management and Building Acts Amendment [107].

Report—Local Government Provisional Orders (Poor Law)* [130].

Third Reading—Arklow Harbour* [137], and *passed.*

NEW MEMBER SWORN.

Right Hon. George Otto Trevelyan, *for* the Hawick District of Burghs.

QUESTIONS.

FRIENDLY SOCIETIES—COMPULSORY AUDIT—LEGISLATION.

MR. M'LAREN asked the Financial Secretary to the Treasury, Whether it is true, as stated in the newspapers, that the Government are going to introduce a measure for the compulsory audit of the accounts of friendly societies; and, whether the Government have or intend to acquire any information as to the views of friendly societies on the subject?

MR. COURTNEY: Her Majesty's Government have no intention of proposing any legislation on the subject.

BALLOT ACT CONTINUANCE AND AMENDMENT BILL.

MR. AINSWORTH asked the Under Secretary of State for Foreign Affairs, If he will introduce a Clause in the Ballot Act Continuance Bill extending the Act to all elections for municipal, poor law, and local purposes, as well as to Parliamentary elections?

SIR CHARLES W. DILKE: My hon. Friend seems to overlook the fact that the Bill, as amending and continuing the Act of 1872, provides for municipal elections. As to applying the ballot to Poor Law elections, it is difficult to do so while the system of plural voting is in force at these elections.

ROYAL IRISH CONSTABULARY—SUB-INSPECTOR WEBB.

MR. REDMOND asked Mr. Attorney General for Ireland, Whether his attention has been called to a disturbance which took place on 3rd May in the city of Kilkenny; whether it is true that Sub-Inspector Webb, who was riding through the crowd, told a man who caught the bridle of his horse, "If you catch my horse again, I will shoot you;"

and, whether he will advise this officer to be more guarded in the language he uses in public, especially on occasions of excitement?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): No, Sir; Sub-Inspector Webb did not use the language attributed to him in the Question of the hon. Member, nor any such language.

Mr. REDMOND said, he had been informed by credible witnesses that the words were used.

PRISONS (IRELAND)—LIMERICK GAOL —DETENTION OF LETTERS.

Mr. REDMOND asked Mr. Attorney General for Ireland, Whether Mr. Egar, Governor of Limerick Prison, has recently detained several letters written by Mr. Abraham, who is suffering imprisonment under the 34th of Edward III., without informing him of the fact; and, whether he will make a regulation providing that when prisoners' letters are detained they shall be informed of the reasons, and allowed to score out the objectionable parts?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): No, Sir; no letters written by Mr. Abraham —who has been committed in default of giving security for good behaviour—have been detained by the Governor of Limerick Prison.

Mr. REDMOND: Mr. Abraham has informed me that they have been detained.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): I have, I think, better information. I have it direct from the Governor of the gaol himself.

ASYLUMS (SCOTLAND)—THE NEW LANARKSHIRE ASYLUM.

Mr. ANDERSON asked the Secretary of State for the Home Department, If he is aware that the Committee of the Lanarkshire District Board of Lunacy has selected a site for a new asylum thirty-six miles distant from Glasgow, notwithstanding that a large proportion of the inmates will necessarily belong to Glasgow; and, whether, seeing that site will involve much cost in travelling, and both cost and inconvenience to friends visiting the inmates, he will have the matter reconsidered before the site is finally adopted?

Sir WILLIAM HARCOURT, in reply, said, that he had received a communication this morning from the Board in Glasgow, in which they said they would postpone further measures with reference to the proposed site until other sites had been examined.

CRIMINAL LAW (IRELAND)—TREASON AND TREASON-FELONY.

Mr. HEALY asked Mr. Attorney General for Ireland, How many trials for treason or treason felony have taken place in Ireland within the last ten years, and in how many cases the juries have disagreed or acquitted the prisoners; and, if the House can be furnished with any statistics as to the percentage of acquittals and disagreements in the case of any of the crimes mentioned in the first Clause of the Prevention of Crime Bill, as compared with findings for other species of crime? He put down this Question in the hope that they might have some definite information upon the subject when they were discussing the second reading of the Prevention of Crime Bill.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): I do not think the Returns which the hon. Member asks for could possibly be made out much, if at all, under two months, and would, in any event, necessitate the Crown Solicitors and Clerks of the Crown being taken from their regular duties. However, the Chief Secretary authorizes me to say that he will see what can be done.

Mr. HEALY said, it would be equally satisfactory if some Member of the Government would import into his speech to-night the information required. His own impression was that during the last 10 years there had not been one trial for treason-felony.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, it was impossible that he could speak to-night as to the judicial proceedings of the last 10 years.

ARMY—CONTRACTS FOR MEAT.

Earl PERCY asked the Secretary of State for War, Whether it is the fact that a meat contractor has been selected in the Northern District to supply meat to the troops at Newcastle and Sunderland, and to the Third Battalion of the Northumberland Fusiliers, after repeated complaints against him, and a request from the control officer that he should not be allowed to contract again for supplying the troops in the North?

MR. CHILDERS: In reply to the noble Earl, I have to state that there is no information on this subject in the War Office. But, having telegraphed to York, where these matters are managed, I find that the Commissariat officer of the district did not agree with the local officer at Newcastle in considering that the contractor's name should be struck off the list; but has warned him, and given him another chance.

ARMY—THE ROYAL ARSENAL, WOOLWICH—PAY OF LABOURERS.

MR. BOORD asked the Secretary of State for War, Whether the wages paid to the Control labourers in the Royal Arsenal are lower than those paid to men similarly employed in the Manufacturing Departments; and, if so, whether, having regard to the enhanced cost of many of the necessaries of life, he will consider the subject, with a view to increasing their remuneration?

MR. CHILDERS: No, Sir; the wages of the labourers in the Ordnance Store Department, formerly called Control labourers, are practically the same as are paid to men similarly employed in the Manufacturing Departments. There are some men called labourers in the Royal Gun Factories who work at the furnaces, and their wages somewhat exceed those of the Ordnance Store Department. I see no reason to raise the latter, which are regulated by the market rates, as the men have no pension.

IRELAND—ARRESTS IN COUNTY LOUTH.

MR. CALLAN asked Mr. Attorney General for Ireland, Whether he will have any objection to lay upon the Table of the House the Returns moved for with respect to arrests in the county of Louth and detention in custody of James Kane and five other young men from February 26th to March 7th, bail being refused, on a charge of arson; whether he is aware that Captain Coote, R.M. in dismissing the case, said there was no evidence whatever against them; and, whether he has ordered a prosecution for perjury against Thomas and Bridget Miles, upon whose information the accused parties were arrested?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): In reply to the first Question, I am unable to consent to lay these Papers on the Table. In reply to the second Question, I am not aware whether the magistrate made the observation attributed to him in the Question. In reply to the third Question, I have not directed a prosecution for perjury, nor do I find that the magistrates who heard the case took any step for the prosecution of the Miles's for perjury. If James Kane and the other persons accused of arson, or any of them considered themselves aggrieved by a false charge, they might have applied, or might still apply, for informations against any persons whom they charge with perjury; but, up to the present, I do not find that they have done so.

CRIMINAL LAW (IRELAND)—MR. PHILIP BRANIGAN.

MR. CALLAN asked Mr. Attorney General for Ireland, Whether he will direct that Copies be laid upon the Table of the House of the informations sworn by an informer named Rice, in the case of Mr. Philip Branigan, of Dunleer, and four others, on an alleged conspiracy to murder Sub-Inspector O'Callaghan, and of all other informations sworn or depositions taken before the magistrates presiding in public at Petty Sessions at Dunleer, on Tuesday 2nd May?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Sir, these informations have been submitted to me, and are at present under my consideration. Under these circumstances, I cannot direct copies to be laid on the Table.

MR. CALLAN said, that in consequence of the answers he had received to these two Questions, which he had placed upon the Paper in view of tonight's discussion, he would conclude with a Motion for Adjournment. On the 26th of February last, five young men were arrested at midnight, and after they had been detained until March the 7th, bail having been refused, Captain Coote, the special Resident Magistrate, dismissed the charges, saying there was no evidence to support them. Notwithstanding this and the professions of the Attorney General for Ireland in the House, no prosecution for perjury had been directed. On a subsequent occasion, 25 persons were arrested on sworn informations which implicated 28 persons, accusing them of conspiracy to murder. It was alleged that they had subscribed £100 to secure the murder of a certain person. On the 2nd of May this charge was formally investigated in Court, and the magistrates dismissed it, remarking that there was not a scintilla of evidence to support it. Would the Attorney General for Ireland lay upon the Table of the House such information upon this matter as would enable the House to judge of the conduct of the Irish Executive with regard to it? He hoped that this information would be afforded to the House, or that they should have some statement that a prosecution for perjury would be instituted, so that it would not be necessary for him to press his Motion for the adjournment of the House.

Mr. BIGGAR seconded the Motion.

Motion made, and Question, "That this House do now adjourn,"—(*Mr. Callan,*)—put, and *negatived.*

NAVY—THE CHANNEL SQUADRON.

Mr. DONALDSON-HUDSON asked the Secretary to the Admiralty, Whether the statement in the "Observer" of May 14th, that the vessels of the Channel Squadron are under repair at the various dockyards is correct; and, if so, whether there are no ships of the Channel Squadron at the present time available for service?

Mr. CAMPBELL-BANNERMAN: I am happy to say that there is no truth in the statement referred to by the hon. Member. The four ships forming the Channel Squadron are in all respects ready for sea. They are at Portland for the purpose of drill and exercise. The *Sultan* will be added to the Fleet in a few days.

WAYS AND MEANS—THE CARRIAGE DUTIES — MAIN ROADS (SOUTH WALES).

Viscount EMLYN asked Mr. Chancellor of the Exchequer, Whether he can, without going into details, state to the House whether any portion of the proposed increased Tax upon Carriages will be applied to the maintenance of main roads in South Wales? He explained that he had asked this Question a fortnight ago, and that the right hon. Gentleman had stated in reply that he would let him see some correspondence that had passed between the right hon. Gentleman and Gentlemen representing portions of South Wales. A week afterwards, however, he had received a letter from the right hon. Gentleman saying that he regretted that the correspondence to which he had referred did not exist. Then the right hon. Gentleman went on to say that if he wanted any additional information—he had at that time received none—he was to refer to an answer given to a Question put by the hon. Member for Hertford (Mr. A. J. Balfour). He had referred to that answer, and found that it did not convey any information either. He did not mention this with a view of finding fault, but simply to explain why he asked the Question a second time.

Mr. DODSON (for The Chancellor of the Exchequer) explained that his right hon. Friend was under a misapprehension when he spoke of correspondence on this subject between himself and Members from South Wales. In answer to the present Question, he could only say that the case of South Wales was a special case requiring special consideration. The Government were not prepared, however, to state their intentions with regard to it, until an opportunity was afforded them of going into details, and of explaining their complete scheme.

ARREARS OF RENT (IRELAND) BILL—RELIEF OF DESTITUTION.

Mr. BRODRICK (for Mr. Biddell) asked the First Lord of the Treasury, Whether, in the Arrears of Rent (Ireland) Bill, he will deal with the cases of families who are rendered destitute by the fathers having been murdered because they paid their rent?

Mr. GLADSTONE: This I understand to be really an appeal for some assistance, under peculiar circumstances, to the surviving representatives of particular persons. I would rather not give an opinion on that subject without consulting the Government of Ireland; but I am quite clear that it is not in any way germane to the Bill for dealing with arrears of rent, and should be considered apart from it.

Mr. BRODRICK: In consequence of the answer, I beg to give Notice that upon the second reading of the Bill I shall call attention to the injustice of the Government in this matter.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR. SHERIDAN.

Mr. STANLEY LEIGHTON asked Mr. Attorney General for Ireland, Whether he can inform the House what are the charges contained in the fresh warrant recently issued for the apprehension of Mr. Sheridan?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): I must respectfully decline to answer this Question.

Mr. STANLEY LEIGHTON asked the First Lord of the Treasury, Whether the Government have cancelled the warrant for the apprehension of Mr. Sheridan; and, whether they intend to avail themselves of that gentleman's co-operation in preserving order in the West of Ireland?

Mr. GLADSTONE: I will give the hon. Member all the information in my power. There is a warrant out against Mr. Sheridan, dated December 21, 1881. It is a warrant under the Protection of Person and Property Act. It has not been executed, and neither has it been cancelled. The reason why it has not been executed is that the authorities have not been able to execute it. Mr. Sheridan was previously arrested under a similar warrant on March 15, 1881, and he was released on September 18, 1881. That is all the information I have to give. As to the latter part of the Question, I am not aware of any reason the hon. Member has to put such a Question to me—["Oh!"]—at any rate, I must decline to answer it until the hon. Gentleman has given me some intelligible account of his reasons for supposing that in any shape there is any co-operation between Mr. Sheridan and Her Majesty's Government.

ARREARS OF RENT (IRELAND) BILL.

Mr. TOTTENHAM asked, When the Arrears of Rent (Ireland) Bill would be circulated, and why it had not yet been circulated?

Mr. GLADSTONE: I was in hopes that the Bill would have been circulated to-day, and it will, I believe, be circulated to-morrow. I may assure the hon. Member that he will find it to be a brief and comparatively simple measure, with the contents of which the House is already in some degree familiar from the provisions of the Bill of last year.

PARLIAMENT—THE WHITSUNTIDE RECESS.

Sir STAFFORD NORTHCOTE: I should like to ask the Prime Minister, Whether he can give the House any information as to the Whitsuntide holidays?

Mr. GLADSTONE: The House has been indulgent upon this subject, and I am afraid I must ask it for a further extension of that indulgence. I will, however, tell the House what the present state of Business enables me to announce. There are three subjects which the Government are particularly bound to keep in view at the present moment. The first and foremost of them all is the Bill for the Prevention of Crime in Ireland, with regard to which it is our opinion that it is desirable that it should be disposed of as rapidly as may be, expedition being desirable in the interests of all persons concerned, and for the dignity of the House itself. It must be proceeded with rapidly, consistently with the due and fair discussion which I am quite confident there will not be in any quarter of the House any disposition to exceed. It may be that the debate on the second reading of the Bill will be closed to-night; but if it should not be so closed I think it will certainly be our duty to ask for a Morning Sitting to-morrow for the purpose of bringing it to a close, and in that case there will be ample time at the Evening Sitting to dispose of a question of considerable interest and importance which stands on the Paper for to-morrow. Then, with regard to the Committee on the Bill, that is a stage with regard to which hon. Gentlemen ought to have some little time allowed for preparing any Amendments they may think fit to propose, and for placing them on the Paper. We should propose, therefore, to go into Committee on the Bill on Tuesday, at 2 o'clock. ["Oh!"] It seems to me that that is a reasonable period for preparing any Amendments on the Bill, which, after all, is not in any way a complex Bill. Some of its points are very important, no doubt; but they are points about which, I think, there should not be any great difficulty in arriving at conclusions. I think, further, in regard to that Bill, that I should be justified in asking the House to allow us to proceed from day to day until we have finished Committee and Report. That is the Bill which must occupy the first place in our considerations. There is also what we consider an exceedingly important Bill on the subject of Arrears; and I said on a former day that I hoped to find, in the necessary interstices of the proceedings in connection with the Prevention of Crime Bill, an opportunity for proceeding with the Arrears Bill. I shall take the judgment of the House on the second reading of that Bill on Monday next. There is another subject which I hope will not take any lengthened time to dispose of. We have done what we could in respect to Supply, and we are in a better position in the matter of Supply than we were this time last year—though that is not, perhaps, saying a great deal. At the same time, it will be necessary, in consequence of the pressure of Irish Business, that we should ask the House to give us another Vote of Credit for one month, and that Vote must be in operation before the 1st of June. Under these circumstances, many hon. Gentlemen have suggested that the House might make a patriotic and entire sacrifice of the Whitsuntide holidays, and take a week later in the Session. But I am bound to say that I believe that if once we get detached from the tradition of our Whitsuntide holidays, however great may be the gratification of making a patriotic sacrifice, there would be very little chance of our getting a week later on. What I should propose to the House is, that if it is the pleasure of the House we should work steadily through next week, probably down to Friday, or, if necessary, even to Saturday, for the purposes I have described, and for no other purpose; and I should hope that by Tuesday or Wednesday next we may be able to make some definitive arrangement.

SIR R. ASSHETON CROSS: Does the Attorney General propose to go on with the Parliamentary Elections (Corrupt and Illegal Practices) Bill to-night or not?

MR. GLADSTONE: I think there is no chance of it whatever.

MR. ANDERSON wished to ask the Prime Minister, whether, when he spoke of proceeding from day to day with the Prevention of Crime Bill, he intended to ask the House to meet on Wednesday, and take that day away from private Members—whether he intended, for the first time in recent years, to get rid of the absurd practice of "knocking off" for the Derby?

MR. R. H. PAGET asked whether there was any intention of going on with the Customs and Inland Revenue Bill, which was down on the Paper?

MR. GLADSTONE: I stated on a former day that I would not ask the House for any further proceeding on that Bill before Whitsuntide. With regard to Wednesday next, I should be much better pleased if, as in the last few years, it could be left in the hands of Members of the House to deal with that matter; but, undoubtedly, if it should seem necessary for the purpose of proceeding with this Bill, which we propose should be read a second time to-night, I should not scruple to ask the House to meet on Wednesday in order to go on with it.

LAND LAW (IRELAND) ACT, 1881—SECTION 21.

MR. HEALY said, he wished to call attention to the fact that a Motion in his name for the production of a copy of the Shorthand Writers' Notes of the Evidence and Decisions given under the twenty-first section of the Land Act of 1881 respecting applications by leaseholders to have their leases voided, had been blocked by a Lord of the Treasury (Mr. Cotes); and he wished to know whether there was any objection to put the House in possession of as much information as possible on that subject?

MR. GLADSTONE said, he was sorry that they should do anything which seemed to indicate that they were opposed to the production of information; but he was bound to say it was necessary that that proposal should not pass without notice. The fact was, they had not the strength consistent with the due despatch of Business to produce the mass of information called for; but if the hon. Gentleman would kindly communicate with the Attorney General for Ireland he would afford him every opportunity to obtain any portion of the information he might think the most interesting, or might desire to have access to—of course, for the general benefit of the House.

ORDERS OF THE DAY.

PREVENTION OF CRIME (IRELAND) BILL.—[BILL 157.]

(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

SECOND READING. [FIRST NIGHT.]

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir William Harcourt.*)

MR. O'DONNELL rose to move the following Amendment:—

"That outrage and disaffection in Ireland are due above all to the unjust and merciless eviction of upwards of 40,000 men, women, and children by the police and military forces of the Crown during the tenure of office of the Right honourable Member for Bradford.

"That the feeling of exasperation caused by this eviction of a whole population has been intensified by the conduct of numerous magistrates, police officers, and other officials in causing the slaying and wounding of men, women, and children without any subsequent punishment or trial for such slaying and wounding.

"That the assassination of two members of the Irish Government, which could not have occurred except through the criminal negligence of the Irish police as organized by the Right honourable Member for Bradford, and which has been universally condemned and deplored in Ireland, is no excuse or palliation for confiscating the safety and liberty of the Irish people.

"And that, under these circumstances, the proposed Prevention of Crime (Ireland) Bill can only act as a provocation to discontent, and as a fatal obstacle to good government, order, and tranquillity."

MR. SPEAKER: I thought to have had an opportunity of mentioning to the hon. Member that his Amendment as it stands can scarcely be put; that is to say, with regard to the three first paragraphs of that Amendment, because really they are not relevant to the Bill before the House. The last paragraph, however, is relevant; and if the hon. Member thinks proper to confine himself to the last paragraph of his Amendment it can properly be put.

MR. O'DONNELL said, he rose to speak against the second reading of the Bill. A good deal of the matter which had been inserted in his name as an Amendment was put down for the purpose of placing before the House as early as possible some of the exceptional points on which he and other Members of the House felt bound to oppose the Bill; but, of course, it was not his intention to insist on them as Amendments upon the present occasion. But, in face of the manner in which the public opinion of the country had been misled for the past few years with regard to the real cause of the disturbed condition of Ireland, he felt it necessary to take the earliest possible steps to place upon record at least a sketch of some of the reasons for which the Bill ought to be opposed. For the last two years the people of Great Britain had been kept in the dark with regard to the real condition of Ireland, and with regard to the real causes of the disturbances in that country. He referred especially to the period since the present Government came into Power, and since the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) took Office. At the same time, he did not mean to convey that the disturbed condition of Ireland began with the coming of the present Government into Office. On the contrary, the disturbed condition of Ireland was a heavy legacy to the present Government from their Predecessors. The late Conservative Administration had the greatest opportunity for dealing with the Irish agrarian question upon terms as easy as it was possible for an Administration to have, and they had let it slip unimproved. It was his contention that the disturbances in Ireland, the outrages and disaffection now existing in Ireland were due, above all, to the unjust and merciless evictions which were carried on in that country; and the pretext for those evictions was afforded by the distress, and misery, and want, and destitution produced by three seasons of exceptional badness, supervening on the chronic badness of Irish landlordism. He believed that in June, 1879, he called attention to the great distress in Ireland, and to the necessity of grappling by remedial measures with that great distress. The answer he received from the Conservative Chief Secretary for Ireland was of that character which outside the House was commonly called flippant, but which in the House and on the Benches of Conservatives would be regarded as the statesmanlike tone to adopt when dealing with an Irish question. He was told by the Conservative Chief Secretary that the distress in Ireland was much inferior to the distress in Great Britain, and that whatever the Government intended to do they did not intend to bring in a Bill for the reduction of rents. Since then the Conservative Party had seen fit not merely to acquiesce in a Bill for the reduction of rents, but undertook to adopt the chief plank of the Land League—to propose to buy out the Irish tenants' holdings by means of advances by Parliament. He did not mean to impugn the good intentions of a great section of the Liberal Party, or the good intentions with which the late Chief Secretary had gone to Ireland; but the right hon. Gentleman was not the first Chief Secretary who had begun with good intentions and ended with being the mere tool and instrument of the coercionist party in Ireland. Considering the wholesale evictions inflicted upon a naturally excitable and impulsive people, could anyone wonder that these legalized outrages—for such he might call these evictions—provoked deeds of wild revenge and deeds of horrible and regrettable atrocity? The sum total of eviction of men, women, and children in Ireland in 1880 amounted to 10,657. They had to go back to the year 1854 to find a record of evictions superior to that of 1880. In 1854 the total number of men, women, and children evicted was 10,794, to which the record of 1880 was little inferior. In 1881, while still there was no remedial legislation applicable to the country, and while the right hon. Member for Bradford was egging on the Liberal Party to cast coercion before remedy, and only at the end of which the Land Act had begun its operations, the total eviction of men, women, and children amounted to 17,341. Although many families were allowed to return to their dwellings as caretakers, they knew well that if they did not accept the extortionate terms of their landlords they would again be evicted; and, as a matter of fact, thousands of men, women, and children were literally cast out on the roadside, only to find shelter in the ditch, the workhouse, or the huts erected by the charity of the Ladies' Land League. In many cases coercionist magistrates prevented those huts from being erected, and the famishing mother and child were left to die by the roadside. Could they wonder, as men of the world, that a system of wholesale evictions of that kind, inflicted upon a people whom they declared to be excitable, should madden and excite them to deeds of wild revenge, and even to regrettable atrocities? If wholesale evictions had occurred under the rule of a Turkish Chief Secretary for Bulgaria, if 17,000 men, women, and children had been turned out in a helpless state on the roadside under his rule, they would have found apologists, both on the Liberal and Conservative Benches, for any outrages inflicted in retaliation by a people driven to desperation. Fearful as was the total of evictions in 1881, the record for the first three months of the present year was infinitely more terrible. During the first three months of this year 7,020 men, women, and children had been cast out. At the same rate, they should have a total of 30,000 evictions during this current year. They had to go back 25 years to find such a record of evictions as that. While the responsibility ultimately rested with the Government, yet it was the right hon. Member for Bradford, the eye and the ear of the Government in Ireland, who was, in an especial sense, responsible for the continuance of this *résumé* of eviction—the fruitful parent of outrage and revenge. During the two years of his administration the necessity for the vindication of the law in Ireland had been advocated in more or less eloquent tones from the Treasury Bench, backed up by the eloquence of the Front Opposition Bench; for the right hon. Gentleman, though nominally the Chief Secretary of a Liberal Administration, was, in fact, the Chief Secretary, and the Representative of the most ultra section of the Irish Tory fanatics. He wished to call attention to the remarkable effect of the system supported by the right hon. Member for Bradford. A sort of premium was set upon the commission of outrage; by a sort of horrible logic, the Irish people were led to the belief that the less they protected themselves by intimidation and outrage, the more liable would they be to eviction. In the South, in Munster, and in parts of Leinster, acts of outrage and intimidation were rife. Ulster, on the other hand, was looked upon as a specimen of a law-abiding country. But they found this horrible lesson taught by the statistics of outrage and eviction. In 1880, in Munster, 4,075 men, women, and children were evicted; and outrage and intimidation did not diminish in that year or in 1881. The number of evictions in Munster in 1881, however, fell off to 3,965. In law-abiding Ulster, in which outrage and intimidation did not take place, the evictions during 1881 increased and multiplied. In 1881 nearly 6,000 men, women, and children were evicted in Ulster, and the only reward the people of Ulster got for their abstinence from outrage and intimidation was that a far larger number of evictions took place in their Province than in the other Provinces where the desperation of the people led them to cast aside law and order, and to band themselves together to intimidate landlordism from carrying out the sentences of eviction. What more demoralizing and horrible lesson could be taught? Mr. Arnold Forster, an adopted son of the right hon. Member for Bradford, recently published a comparison of evictions and outrages in the different Provinces in Ireland, with the object of showing that in the majority of cases outrages were the result of the innate ferocity of the Irish character, stimulated by the teachings of the Land League, because, as he pointed out, there were no evictions to account for most of the outrages in the districts in which they occurred. In this document Mr. Arnold Forster let them see the species of logic which directed the policy of his relative the Member for Bradford. The horrible lesson to be drawn from the facts adduced by Mr. Arnold Forster was this—that in the districts in which the people did not protect themselves by a recourse to the frightful resource of intimidation, evictions multiplied; while in the districts in which the outrages occurred evictions were less numerous. That was the lesson which the policy of the Chief Secretary for Ireland taught to the excitable and impulsive Irish people. The policy advocated by the Irish Party was very different. They asked that eviction should be prevented by remedial legislation; and they pointed out that the hand of the law-giver, by stopping the operations of the crowbar - brigade, would, at the same time, deprive desperation of its stimulus, and crime of its true parent and author. He recommended hon. Gentlemen opposite to study and consider the facts stated by Mr. Arnold Forster, and to draw conclusions from them for themselves. They would read, in letters of blood and fire, the lesson that was to be drawn from the administration of the Member for Bradford. As he had already stated, the disaffection in Ireland was due to the 40,000 men, women, and children that were evicted during the administration of the right hon. Gentleman. *The Times* and other newspapers had remarked that such a state of things in Ireland must have been horrible to contemplate. In 1880 there were 10,657 evictions, and in 1881 17,343, making a total of 28,000 in those two years; while, under the stimulus of the rigorous and merciless policy of the Member for Bradford, 7,000 men, women, and children were cast out during the first three months of the present year, bringing up the total number of evictions to the end of March last to 35,000; and he felt sure that during April and May some 3,000 or 4,000 more would be added to the list. The House should bear in mind that these were evictions of tenants, and were independent of the consequential eviction of labourers and dependents; while the forces of the Crown where at the disposal of the harshest landlord in Ireland, in his horrible task of evicting the hard-working population of the poorest districts in the country. There was still another element added to deepen the popular exasperation. While there was no mercy for the people, they were also left without even bare legal justice. While starving men, women, and children were being cast out in thousands, there was complete licence of manslaughter and murder granted to the officers of the law. He was himself a personal witness of the brutality of the police in that city, where they were so worthless and inefficient to put down crime; but where they were so terribly competent to stop the Sunday promenade of the population. Granting the necessity of arresting the hon. Members for Roscommon (Mr. O'Kelly) and Tipperary (Mr. Dillon), were they no the darlings of the people, and ought no some respect to have been shown to the feelings of the people in effecting the arrests? On the Saturday night when the hon. Member for Tipperary was taken off to prison the police were let loose upon the people. They kicked and drove, and charged them down the crowded streets of Dublin. On the following Sunday evening, while sitting in his hotel, he was disturbed by an uproar in the street. On going out he saw the mode that was being adopted to enforce loyalty to the Constitution. He saw a policeman of the C Division beating and kicking two little children, and when he asked a sergeant of police who was standing by to stop such brutality, his remonstrances were received with insults and threats. The charging mob of policemen rushed into the hotel, and the blow that was intended for his face fell on his hat, and he had preserved the hat as a monument of the *régime* of the right hon. Member for Bradford. The proprietor of the hotel was struck down by a blow in the face, and they only escaped by a more precipitate than dignified retreat up the staircase. The clearing of the streets went on, and the hospitals were full of victims of the brutality of the police—including women and children. After the streets were cleared a little, four gentlemen, himself among the number, went to the district station to complain of the conduct of the police. They were admitted without difficulty; but when they stated that they came to complain of the conduct of the police force in Sackville Street, the door was violently slammed in their faces. They afterwards managed to see the Inspector, who promised to look into their complaint. The case was proceeded with to some extent in the Dublin Police Courts; but a number of the brethren of the accused policemen gave unhesitating testimony that by a curious circumstance the members of the force, whose conduct was complained of, happened to have been at a different place at the precise moment when the alleged brutality occurred. The Corporation of Dublin, who were responsible for the peace of the city, sent a deputation to the right hon. Gentleman the Chief Secretary begging him to exercise some influence over the police. They received a reply worthy of Warsaw—"Clearing the streets can be no milk-and-water business." During three nights the police brutalities went on unchecked; and on the fourth night a band of roughs, determining to revenge themselves somehow, smashed most of the windows in the public streets, without regard to the religious or political convictions of the owners. The mounted police who, on Saturday night, charged the people on the footways, and the other police, who batoned respectable people on Sunday, Monday, and Tuesday, were on that night, when real crime was being committed, conspicuous by their absence. But there were more serious charges to be made against the police still. The licence granted to the supporters of law and order by the right hon. Member for Bradford had often produced more terrible consequences than cowardly assaults on women and children. He heard the Prime Minister not long ago congratulate the right hon. Member for Bradford on the fact that his administration in Ireland was unstained by blood; and then he could not help wondering at the completeness with which the Irish Office must have kept the most essential facts of the Irish situation from the knowledge of the Head of the Government. At the very time when that congratulation was expressed, the public mind of Ireland was excited and inflamed by the cruel and cold-blooded murders of half-a-dozen people, including a young woman who was stabbed to death with cold steel by a brutal constable, and a poor old widow, who was killed by a buck-shot charge, because, forsooth, the Constabulary were not overtrained in accurate firing. And on the very eve of that horrible and deplorable crime in Phœnix Park, Dublin, which had excited the reprobation of Ireland and of England, and in which a blameless man reaped the bloody harvest of another's sowing—the police force of the right hon. Member for Bradford were ruthlessly shooting down children, and a children's band, and filling humble homes with misery—aye, and with bitter wrath and cursings against the representatives of so-called law and order. When the news came to him on Saturday of that massacre at Ballina, and when he read the account of the conduct of the police in connection with the murders in the Phœnix Park, he was astounded at the colossal inaptitude of the police authorities, and wondered how, when they ought to have known that the worst elements of the population would be worked up by the tidings of that brutality in Ballina, they could have let the messenger of peace enter Dublin without the slightest precaution or safeguard. He felt certain that when the news of the Ballina massacre—where only one of the victims was over 16 years of age—reached the desperate classes in Dublin, men in whose minds disaffection was a tradition, there was not an Englishman, however distinguished, or however innocent, who would be safe within dagger's distance of some of those men. The police of Dublin must have known for months that there were men in that city who were capable of political assassination; and yet on the morrow of the Ballina massacre they took no precautions to save Lord Frederick Cavendish and Mr. Burke. In one of the very last Reports of the number of prisoners confined under the warrant of the right hon. Member for Bradford, the name appeared of Patrick Slattery, who was arrested on the 25th of July, 1881. On the 1st of June there was a universal eviction battue carried out at Bodyke, County Clare, on the estate of Colonel O'Callaghan. A large number of mounted police and Constabulary went to enforce wholesale evictions. Naturally, when a whole townland was to be made desolate, a sympathetic and excitable concourse gathered. When Father Murphy, the parish priest, arrived on the scene there had already been some danger of a collision between the people and the police; but he separated the parties, who were facing one another with resentful feelings, and pledged himself that, if the police maintained ordinary calm and restraint, even those cruel evictions should pass off quietly. It so happened that some beehives had been overset, intentionally or unintentionally, and the swarming bees made themselves more busy with the mounted force than suited the temper or the equitation of its members. While the bees were stinging the horses the people laughed, and the County Inspector, losing his temper —probably the same Inspector whose Shooting-on-Suspicion Circular had excited the just reprobation of Parliament —gave orders to the men to charge, and cut right and left. The parish priest said that the people were quiet and orderly at the time, and were only laughing at the horses of the police being stung by the bees. On that order, however, being given, the people were attacked by the police, who charged and struck at all before them, and John Maloney was murdered. The attack of the police was aggravated in the extreme; and, not content with this, they captured several men, and led them along in front for the protection of the police and of the process-server against any chance stone that the infuriated mob might aim at them. They cut off the buttons of their trousers, that their hands might be engaged in holding them up and not allowed to be free; and in this way they were marched about for six hours. But what happened to Patrick Slattery? Upon the inquiry into the murder of John Maloney he came forward as a witness against the police. He named O'Grady at the Coroner's inquest as the man who struck Maloney, and afterwards pointed him out to Inspector Crane and to the County Inspector also. An English visitor saw the widow of the murdered man Maloney, and heard her speak of him as a good and peaceable man. She did not know till late that evening that he had been injured, and then she heard that the priest and doctor were with him. She went to him, but he never spoke or recognized her again. Here, surely, was a case deserving investigation and trial. The parish priest declared the people were peaceable when assaulted. Doubtless, on the authority of the right hon. Member for Bradford, the Attorney General for Ireland, labouring then under the conviction that everything connected with agrarianism in Ireland was "steeped in treason," issued a notice of refusal to prosecute, while the witness Slattery, the witness against the police, who had identified the murderer, was thrust into gaol without trial in that same month. Those cases were known throughout the West of Ireland, and wherever they were known they were little calculated to promote respect for law and order in Ireland. There was no punishment for the brutal police who attacked the people of Dublin, nor for the constables who murdered Ellen Macdonagh, or John Maloney, or the poor children at Ballina; and yet the Government expected to find the sympathy of the people on the side of the so-called party of law and order. They now proposed to introduce a Bill to abolish trials by jury, and to substitute for trial by his peers trial before three salaried Government functionaries, all of whom had obtained their promotion by activity in Party warfare of one side or the other, both of which were hostile to the people. It proposed to place the people of Ireland under the government of Resident Magistrates, whose name was a misnomer, for they did not reside in the district, but were merely Government officials bitterly opposed to the feelings of the people; it proposed to give to the police who struck down the peaceful crowds in Dublin irresponsible power to search, and insult, and summarily arrest everyone in Ireland at the will of an eminent official of the Crown; and yet the Government thought that the Bill would tend to promote law and order. If the Government wished to have criminals brought to justice, if they desired the sympathy of the people upon the side of law and order, if they wanted the whole nation anxious to discover offenders and to deliver them up to the police, and if they desired witnesses to come forward and juries to convict, then let them remove the grievances of Ireland—the tyranny which weighed upon her; and not only let them remove coercion, but also those who committed crimes under coercion. Until they did that Coercion Bills would be useless, and men who, under ordinary circumstances, would be devoted to law and order would bind the whole nation into a tacit conspiracy against the law which punished the crime of the people, but absolved the crime of power. On the other hand, let justice be done. Save the people from evictions, and put an end to that which stained the rule of England in Ireland, and they would put a stop to both agrarian crime and remove intimidation. Hon. Members had expressed surprise that when an agrarian outrage took place in Ireland there was not the same indignation and horror expressed throughout the country as at the recent assassination of Lord Frederick Cavendish. Such feeling was too often checked and chilled at its source by the thought that possibly the lawless act was brought about by feelings of revenge against the men and the system which had made desolate his home, and brought death and disgrace into honest and harmless families. Until the danger of eviction was removed, and police murderers as well as Ribbon murderers were brought to justice, coercion was useless. It would only aggravate the sore and spread the plague-spot; and after three years of coercion they would have to deal with an Irish race more exasperated than ever. Every day spent in coercion, and kept from the furtherance of remedial measures, was a day less for good government, and a day given to the cause of discord and of international hate, culminating in permanent danger in Ireland.

COLONEL COLTHURST said, that although last year he opposed the Coercion Bill, he could not now take upon himself the responsibility of opposing the Bill before the House. He could not better express the reasons which induced him to adopt this course than by quoting the words of one who was long a Member of that House (Mr. A. M. Sullivan). Writing six weeks ago in condemnation of the Coercion Act, Mr. Sullivan said—

> "There were thousands of honest Irishmen who would forgive much to coercion if it would only reach crime and stamp out the criminals. There were thousands who would bless the hangman's hands if he could execute justice on the murderers of Mrs. Smythe."

He (Colonel Colthurst) was sure his learned Friend would have equally condemned those cowardly wretches who, in obedience to the "no rent" manifesto, had committed brutal murders in various parts of Ireland. He could not understand the position of those who condemned the horrible political murders in Dublin, and who never said a word, not the most perfunctory word, in condemnation of other murders, which, in his opinion, were more cowardly, more brutal, and more disgraceful. They had recently an explanation from the hon. Member for the City of Cork (Mr. Parnell) of the cause of agrarian outrages; and though they had good reason to know the inaccuracies of the statements of the hon. Member, on this occasion he certainly appeared to have surpassed himself. The hon. Member stated that he believed the outrages were mostly committed by small farmers with the intention of terrifying the larger farmers, and thereby preventing them from paying their rents, and leaving small farmers to the vengeance of their landlord ——

MR. HEALY: He said they were committed by sons of small farmers, COLONEL COLTHURST said, he had not heard those words; but he would accept the correction. As far as his county was concerned, outrages were confined to a very small area; but in that area and in the county of Kerry the explanation of the hon. Member for the City of Cork would not do. There were no evictions; there was nothing said about evictions. The men who committed the outrages told their victims that they had to be punished for disobeying the "no rent" manifesto, or for intending to disobey it. They made no secret of it. In some cases they tortured and mutilated their victims for a supposed intention of paying their rent; but nothing was said about evictions. He did not deny that possibly the sons of some small and large farmers and their labourers engaged in these outrages; but the outrages themselves were not the spontaneous ebullition of vengeance or of rage on the part of these people. Anyone who made such an assertion libelled his countrymen. They were organized outrages by some society or another, whether the Land League or that society described by "Warhawk," in which he stated that the outrages of "Captain Moonlight" were committed by a society running alongside, but outside it; but which the Land League knew of, but were afraid to control. He asked again, who paid the money to defend "Captain Moonlight?" Who brought counsel down specially from Dublin? Certainly not the sons of small farmers or the sons of labourers; but some organization—some society—be that society what it might. As for evictions, no one could deplore more sincerely than himself those that had resulted from the distress of the years 1879 and 1880; but there was another class that had been caused by the direct action of the hon. Member for the City of Cork. Long before the "no rent" manifesto was issued, the hon. Member for Sligo (Mr. Sexton) advised farmers whose interests were being sold not to buy them in, but to allow themselves to be evicted, to trust to their friends in America, and to believe that the Land League must win in the long run. After this followed the "no rent" manifesto, which was a general call on every farmer, whether large or small, not to pay his rent. Could it be wondered at, then, that those who did follow this advice, on finding themselves deceived and abandoned, with a miserable £5, £10, or £20 note doled out from a society in Dublin, should resort to outrage? With respect to the provisions of the Bill, he did not consider it part of his duty on the present occasion to go into them. Her Majesty's Government, in bringing it forward, said it was the best or the only way of coping with the state of things against law which existed. With regard to the system of compensation for murder and mutilation, he admitted its severity. The injustice had been mitigated by removing it from the Grand Juries to the Lord Lieutenant in Council; but he considered the principle altogether bad and unjust. He should not grudge compensation, for he hoped to be able in Committee to propose a clause making compensation retrospective, so that the victims of the "no rent" manifesto should have the benefit of the provisions. But he held that compensation for murder and mutilation should be levied on the whole county, and not merely on the locality. He hoped the Government would, at any rate, consider this point, and he knew that many Irish Members attached great importance to such a provision as a preventive of crime. It was a very painful task for him to vote for this Bill; but he considered it a paramount duty of Members from Ireland, at the risk of misconstruction and misrepresentation such as he had experienced in common with others, to look at the Bill solely on the ground of whether it was likely to repress crime and punish the criminals.

MR. RATHBONE said, he felt that he had neither position or eloquence to give weight to his words. It was only because of the deep conviction he felt of the importance of what he wished to say in this crisis of our national affairs that he asked the attention of the House for a few minutes. It depended on the spirit in which they approached the work they were now engaged upon whether this Bill was really a Bill for the prevention of crime, or whether, in the words of the hon. Member opposite (Mr. O'Donnell), it was a provocation to further crime. It must not be in the spirit which had prevailed for the last few days that they were to approach this measure. In the face of a crisis such as they had before them, he would ask hon. Members to consider what must be the effect of language that was used by men to whom the country naturally looked for direction? There had been no accusation too absurd to be believed, no motive too base to be ascribed, by men whom they had considered honourable, to men as honourable as themselves. He would ask the House whether, when they were now asked to place in the hands of the Government of the day such exceptional powers as they were asked to place in their hands, they ought not to approach the consideration of this measure without endeavouring to make more difficult the action of the law that was to be passed, but rather with more self-control and reticence than had been observed? Were patriotism and prudence to be overpowered by passion and Party, as they seemed to have been during the last two or three days? If so, he must say he trembled for the future of Ireland and for the character of this country. The present crisis which they had before them was a sad one, and an alarming one; but it was not without a prospect of hope, if they would only meet it as men and as Christians. He would venture to ask the aid of words which had much more authority than any he could use—those words which had been used by a lady—Lady Frederick Cavendish — who was entitled to be considered to speak with authority, because on her had fallen the most severe and crushing sorrow of these events. They were asked by her voice to be allowed to hope that out of the graves of the murdered statesmen might arise a different spirit in dealing with the question of Ireland. And would they be deaf to that voice? Certainly the way in which the dreadful occurrence was received by all Parties and by the nation was enough to make the heart of every patriot beat again with hope for the future of his country. Nothing could have been more noble or disinterested than the conduct of the Leaders of the Conservative Party; and the attitude of the nation, which might have been expected to be roused to violence and fury by such an act, was marked by like characteristics. Why should there now be a change? Why should they talk with violence, and make accusations of all kinds of base motives against one another, after having at last seen a ray of hope from the dreadful calamity? The murder of a statesman of noble character, who went to Ireland under circumstances which appealed to the best instincts of the Irish population, had roused in that country a feeling which led them to see the natural results of the teachings which had been given there. In these circumstances there was among the Irish people a general revolt against intimidation and outrage, which, if used with statesmanship and consideration, might have led to the desired results. Yet, what was the language with which the crisis was treated? They said to these Irish leaders — he would not palliate their conduct in the slightest degree; but still these men saw clearly where their dangerous cries were leading them, and there was a desire on their part to turn —they said, not only to these men, but to the Irish people—"You have been accomplices with O'Donovan Rossa; you have been tainted with crime; you are now disposed to better ways; but we will take you by the throat, and, because you have been accomplices with O'Donovan Rossa, we will throw you back to your evil courses." Was that an act of statesmanship or of common sense, or dictated by any knowledge of human character? He urged upon the House on all sides to consider whether it was not discreditable to bandy about from Party to Party the basest accusations. For instance, they had had a proposal from the right hon. Member for Westminster (Mr. W. H. Smith) on a very difficult subject, which everybody interested in Ireland recognized as a subject which should be dealt with. It seemed to him there was no more hopeful prospect for Ireland than in that Motion. The Government very wisely saw in it an opportunity of combining both Parties in Ireland in the government of that country. But from the other side there came imputations that the Government were weak and foolish, and had to trust to the Conservatives and the Home Rulers for aid in governing Ireland. He held that they were wise in so trusting their opponents, and that any statesman who was unwilling to accept the assistance of hon. Gentlemen opposite would be unfit to govern. [Mr. GLADSTONE: Hear, hear!] On the other hand, from Members of his own side of the House there came the accusation that the right hon. Gentleman was merely making a bid for the allegiance of the violent Party. Such accusations were untrue, and were dishonourable, not to those against whom they were made, but to those who made them. It was said the Government had made mistakes. He would like to know what Government that had ever governed Ireland had not made mistakes; and, under these circumstances, it was not noble nor statesmanlike to spread all sorts of absurd stories. Surely the act of real patriots would be to believe in the more generous motive, for it was not by constantly imputing bad motives that they could meet the great difficulty of governing Ireland. They were proposing to give the Government of the day great powers; and was it wise that they should try to discredit the Government, and render those powers useless? He was certain there was in the Irish people that which was great and noble, and by founding their policy on their good qualities, in 10 years they could make Ireland one of the most easily governed, one of the quietest, if not one of the most prosperous, parts of Her Majesty's Dominions; but they could not govern Ireland unless they were prepared to put aside Party feeling. He did not mean to say it was not the duty of the Opposition to criticize; but that criticism should be offered, as it had been offered by some of the Leaders of the Opposition, in a fair and generous spirit. If for 10 years only Ireland could be governed with kindness, firmness, and justice. there would be no Irish difficulty. Was it Utopian to believe that there was sufficient patriotism in them to impel them to take that course? He maintained that it was not. It was not Utopian, but on one condition only—namely, that men would give the leaders of the country credit for having the same patriotism and sense of right which they themselves possessed. That was a faith which would remove even the great mountain of Irish discontent and Irish disloyalty.

MR. BRYCE said, they ought to approach this measure in a spirit of calmness, and not allow any horror they might feel at the terrible crimes of the last few months and weeks to inflame their feelings or distort their judgment. What was the general character of this Bill? It was praised as being a very strong measure. He admitted that this was a time when strong measures were necessary; but a measure ought to be strong in a right direction. History was full of strong measures and strong policies which had failed. Strong measures were tried in Ireland during the first 30 years of this century; but at the end of that time the condition of Ireland was as bad as before. Then take the Bill of 16 months ago—the Protection of Person and Property (Ireland) Act, which was still in force. That measure was worked by the late Chief Secretary with as much earnestness and concientiousness as any Minister could have brought to the work; but, nevertheless, it was a failure. At best, it only held at bay the forces of disorder. What was wanted was, that the present Bill should not be one striking out wildly, but should be directed to the root and heart of the evil. The great difficulty in Ireland was not the punishment, but the detection of crime—the discovery of the perpetrators of it. Take all the worst murders which had disgraced Ireland during the past 10 years, and the failure of justice had been due not so much to the juries as to the lack of evidence, arising from the fact that the police could not put their hands upon the guilty men; or, if they guessed at them, could not gather evidence sufficient to convict. What was wanted was a measure to make detection easier, rather than the multiplication of offences. Was this a measure which had that effect? He found only one provision specially directed to the detection of crime, and that was the power to make domiciliary visits. The difficulty of discovery was owing to the circumstance that the people were far too frequently in sympathy with crime. Therefore, the main object of our legislation should be to destroy that sympathy, and to range on the side of the law a people who, from past experiences, were apt to look upon English law and its officials as engines of oppression. They did not want any measure which would alienate or annoy what he might call the neutral party in Ireland, those who were neither such good citizens as to aid the law, nor such bad ones as to break it They wanted to place this neutral party, which was the majority of the population, on the side of law and order. To do so they must avoid any measures capable of abuse, or which would bear hardly on the well-intentioned portion of the population. This Bill would be mainly administered by the resident gentry in Ireland, the Justices of the Peace and Resident Magistrates, who belonged by birth and sympathy to the landlord class. Now, he did not wish to say a word against the landlord class; but they were suspected by the people—an antagonism had grown up between them and the people. They had in Ireland, in fact, practically to deal with two nations—the aboriginal race, who were mostly Roman Catholic in religion, and the race, English and Scottish by origin, Protestant by religion, and the landlords usually belonged to the latter. As regarded trial by a Commission of Judges, he thought even the Leaders of the extreme Irish Party were of opinion it was a remedy which might be fairly proposed; but the difficulty had always been in finding evidence, and he was not sanguine as to the results. He could not think that in the great majority of cases much would be gained by the change. But in providing for trial by Judges without a jury the Bill placed political alongside of ordinary offences, and in this seemed to lie the greatest objection to it. The habit had been formed in Ireland, during the evil days of the last century, of seeking to attain political ends by private crime, just as assassination had been resorted to in Italy and in Russia with the object of attaining political ends. The object of wise legislation should be to permit proper means of discussion, and not to interfere with Constitutional agitation, nor allow the people to find any sort of excuse for attempting to attain political ends by private crime. He doubted if they properly understood the halo of glory which in Ireland still unhappily surrounded conspiracy against the English Government. He believed the honest intention of English Ministers for many years past had been, as it now was, to do well by Ireland; but that was not understood in Ireland, and the feeling of the people was, consequently, still in sympathy with those who conspired; and, what was even worse, it tolerated crimes committed for agrarian or political ends. If that was so, the way to correct this evil was to draw a line between political and other crime. They all looked upon a man who committed a purely political offence in a different way from a man who committed a murder or an assassination. They condemned him, no doubt, but they did not feel the same moral repulsion from him. Now, what did this Bill propose to do? It dealt with purely political offences as being of the same nature with ordinary crimes. The 7th clause contained extensive provisions against the right of public meeting, while the 10th contained similar provisions against newspapers. He did not justify either unlawful meetings or articles inciting to sedition, for he admitted that they ought to be punished, and, if necessary, with severity. But it was a dangerous thing to interfere with the freedom of public meetings. There was a great safeguard in allowing freedom of discussion in meetings—a Government could better learn what was stirring in the minds of the people, and it was far easier to pass severe condemnation on the man who, while open agitation was permitted, had recourse to secret conspiracies. It would have been, at any rate, better, though he did not say that it would have been wise, to take power to deal with criminal words used at public meetings or in newspapers in the clause which authorized the Judges to try without juries. Was there any further exceptional power required for that purpose? He believed it was a positive advantage to encourage open discussion and agitation rather than drive them underground. The real feelings of the people would then be ascertained, and it would be easier to govern the country than if the disease were driven beneath the surface. It might be said that those powers would not be abused; but that was the invariable argument when arbitrary powers were asked for. No doubt, they would not be abused by the present Lord Lieutenant or the present Chief Secretary. Nor was he speaking in a Party sense, for he was sure that either of the right hon. and learned Gentlemen the Members for the University of Dublin, if they were responsible for the government of their country, would not abuse such powers. But he would be sorry to intrust those powers to the right hon. Gentleman who was Chief Secretary at the close of the late Government (Mr. J. Lowther). Then, it ought not to be forgotten that the minor officials, who would be the chief administrators of this Act—the Resident Magistrates and Justices of the Peace—all belonged to a class out of sympathy with the bulk of the people, and, at the present time, in a state of great exasperation. He had recently received letters from two gentlemen of high position in Ireland, and possessing intimate knowledge of the country. His correspondents, while not objecting to strong measures for the repression of disorder, expressed their belief that the present measure would fail, as the previous one had failed, because it would be administered by persons most of whom owed their positions to political and Party services or to private interest, and were, therefore, unfitted by temper as well as by insufficient legal knowledge to deal with political offences, and who also by class and tradition disliked, and were disliked by, the agricultural and trading elements of the population. He thought the clause which related to intimidation—Clause 4—was far too wide, and would prove dangerous. He hoped the Government would make some concessions as regarded public meetings and this Intimidation Clause and the Resident Magistrates, for there were other strong provisions in the Bill which, if well used, would suffice to answer the purpose in view. To hon. Members from Ireland he appealed not to renew those obstructive tactics, which they adopted last year against the Coercion Bill, and to make known the feelings of Ireland without unnecessarily prolonging the discussion. He knew that suggestions from English Liberal Members, however friendly, were ill received by Irish Members opposite. [Mr. HEALY: Hear, hear!] But that would not change the feelings of English Members, in so far as these feelings were friendly. They would act quite independently of how their overtures were received by hon. Gentlemen from Ireland. He believed they would consider this Bill in a fair spirit—in a spirit which altogether acquitted the Irish people from any participation in, or sympathy with, the horrible assassinations of last Saturday week; in a spirit which would seek to make this Bill effectual against crime, but as lenient as possible towards the quiet and well-disposed people in Ireland.

MR. LEAMY said, that the hon. and gallant Member for the County of Cork (Colonel Colthurst) had quoted Mr. A. M. Sullivan in favour of the view that the Irish people would endure coercion if it would put down crime. But he thought Irish Members might be excused from voting for the Bill on any such grounds, when they remembered how completely the Act of last year had failed of its purpose. The hon. and gallant Member said that the responsibility of the Bill should rest with the Government. That was what was said last year. The hon. Member who had just sat down, and who had made a speech which, if made by an Irish Member, would have evoked criticism from Liberal Members, said he understood the Irish Members were not opposed to the tribunal of three Judges. He ventured to point out that the Irish Judges themselves were opposed to it, and therefore it was not surprising if Irish Members were not very favourable to it. It was manifestly absurd to give the Judges who were placed on the Bench for political services, the power to decide a charge of treason against the opponents of the Government. There was also a provision which allowed them to arrest a person for treason in England, and send him over to Ireland to be tried by the Judges; whereas, if he were tried in England, he would be tried by jury. He was very much opposed to that. He submitted that a provision which rendered a man liable to six months' imprisonment for attending a proclaimed meeting, the proclamation of which he might not have seen, as they were often only proclaimed on the morning of the meeting, was unjust. If they wanted to perceive how differently the English and the Irish people were treated, they would see it in the Intimidation Clauses of the Bill. It left the description of crimes which were to be intimidation wholly to the imagination of the Resident Magistrate. In the English Act passed a few years ago the acts of intimidation were set forth fully and specifically, and the magistrate could not go beyond them. In Ireland the magistrate, after imagining an act of intimidation, could imprison the offender for six months with hard labour. In England there was the option of a fine, and the maximum imprisonment was three months. Similarly, in the clauses dealing with illegal associations, the magistrate was left to his own imagination as to what constituted an illegal association, and the sentence was also six months' imprisonment. There was no appeal in any of those cases. If an appeal would involve a trial before a jury he could understand this refusal. But the appeal would be to the County Court Judge; certainly not to a person who would set aside such a conviction without the strongest reasons. The effect of these enactments would be to strengthen the belief of the people in the utter hopelessness of obtaining justice from English officials. Aggravated assaults upon the person were, according to the first part of the Bill, to be tried before the Commission of Judges; in the second part before the magistrates. He did not know whether it was intended to give both tribunals co-ordinate jurisdiction. He was of opinion that the power of domiciliary visits would not only cause great irritation, but would prove just as fruitless as the power of search under the Peace Preservation Act of last year. It was said that they might depend upon the Irish Executive to carry out the Bill properly; but that was just what was said last year. Hon. Members had last year expressed the same confidence in the right hon. Gentleman (Mr. Forster) which they now did in the right hon. Gentleman (Mr. Trevelyan). What had been the result? The incidents of the last few days had at least been satisfactory in this respect — that they had shown up the late Chief Secretary in the light in which he had been long regarded by the Irish Members. Even if Lord Spencer or the right hon. Gentleman (Mr. Trevelyan) were disposed to carry out the Bill in the most impartial manner they would have to depend a great deal upon minor administrators. The Lord Lieutenant and Chief Secretary would not be able to supervise all these minor administrators. They would have to depend for information upon a class of persons who were utterly opposed to attempts to seek popular right. The result would be that at the end of three months they would find the Irish people and the Irish Members as much opposed to the new Lord Lieutenant and Chief Secretary as to the last. The present Government had thrown away two grand opportunities. They had dashed by the Bill of last year the hopes formed by their accession to Office. Now, again, when some promise had been held out that the policy of coercion was going to be abandoned, and Ireland to be governed more in accordance with Irish ideas, and when the Irish people had shown their disposition to meet the Government half way, the Administration brought in another Coercion Bill. Such legislation would only strengthen the hands of those who had no belief in Parliamentary action. Troublesome as the extreme politicians of the Irish Party might have been in that House, it was far better that the Government should have to deal with them, than find themselves face to face with men who had given up all hope in Parliamentary agitation, but not all hope in more forcible measures.

Mr. R. T. REID said, that hon. Gentlemen opposite had contended that previous measures of a similar character to that before the House had been tried and had proved unsuccessful; but they had not informed them of any specific substitute for such measures, except the suggestion of the hon. Member for the Tower Hamlets (Mr. Bryce), that they should do something to make the people of Ireland sympathize with the law, and cease to sympathize with crime. If the people of Ireland could be made to sympathize with the law, then the Irish question would be settled at once. To state that what was wanted was some measure to obtain sympathy for the law did not give any solution of the difficulty. Measures of redress and of conciliation had certainly been tried during the present Parliament; and hon. Members opposite representing Irish constituencies must admit that, at all events, an attempt had been made to do justice to Ireland. He had still a strong hope that these conciliatory measures would eventually prove successful. The few observations he had to make were not intended to be hostile to some measure of this character, which he thought was necessary. It was, however, desirable that he should point out the remarkable change which the Bill proposed to make in the position of the Lord Lieutenant of Ireland. One of the great safeguards of liberty in this country was the provision which separated the Executive from judicial functions. In this Bill, however, it was proposed to invest the Lord Lieutenant of Ireland with judicial functions such as were not possessed by any English or Irish Judges. The Lord Lieutenant, for instance, was to be empowered to say, if he thought proper, that certain cases should not be tried by jury, but that they should be tried by a

Commission of Judges. It might be quite right to say in some cases that trial by jury should be taken away; but it was not a power that should be left in the hands of the Lord Lieutenant, be he whom he might. He thought that on that point, at all events, the Bill went too far. His principal objection to the Bill was that judicial and executive functions were mixed up in a way which was not consistent with Constitutional rules. The Bill, it was true, was going beyond Constitutional rules; but it should not go further than was absolutely necessary, and he failed to see how those functions to which he referred could not be performed by Judges or other impartial persons. He did not desire to advert to other defects, inasmuch as they had been pointed out by other hon. Members. He hoped that the Government would keep the Arrears Bill running on at the same time with this measure, in order that the House might not find themselves in the position of having conferred these extraordinary powers upon the Government, and of being unable to pass the Arrears Bill.

MR. LABOUCHERE said, that it was little more than a year ago since Her Majesty's Government came forward with their policy with regard to Ireland—a policy based upon coercion and upon remedial measures. From the fact that, at the present moment, the House was asked to pass a remedial measure and a Coercion Bill, it was clear that the former policy of the Government had been a failure. He was not prepared to say that Ireland was not in a brighter condition now than she was this time last year, because the greed of the landlords had been abated in a large degree by the operation of the Land Act, and they were not now able to treat their tenants as though they were their absolute slaves. He rejoiced greatly that the Prime Minister was going to bring in an Arrears Bill, because it was to the action of the Irish landlords, in evading the spirit of the Land Act with regard to the arrears, that the outrages and most of the other Irish difficulties were due. He did not complain of the Government for bringing in one of the most stringent Coercive Bills that had ever been submitted to the House, in order to deal with the assassinations in Ireland, because it was only right that, in the present state of things in that country, greater powers should be conferred upon the Executive. What, however, he did complain of was that this Bill erred precisely in the direction that the previous one had done, inasmuch as it was not aimed solely at the actual perpetrators of outrages, but was directed also at hon. Members sitting opposite. In fact, he could see the trail of the right hon. Member for Bradford (Mr. W. E. Forster) and of his policy in this measure. At the time the measure was framed the right hon. Gentleman was the guide, philosopher, and friend of Her Majesty's Government. In introducing his first coercive measure the right hon. Gentleman had stated that it was aimed solely at the village ruffians, and that he himself knew every village ruffian in Ireland. It soon, however, became perfectly clear that the right hon. Gentleman knew nothing whatever about them. His impression was that the right hon. Gentleman knew very little indeed about Ireland from the moment he assumed Office until the time he retired in dudgeon from his position, and came forward to justify himself by relating sensational private conversation, and told his late Colleagues that they were determined to pay black-mail to violators of the law, and to act in a dishonourable manner. He did not believe that hon. Members opposite were responsible in any way for the outrages that had been committed in Ireland. There could be no doubt that those outrages had been committed with impunity, because the majority of the Irish people had kept aloof from giving assistance to the Government. The Irish people felt that at the same time the Government were assailing the scoundrels they were assailing them. This was the necessary result of the Government attacking the moderate Party in Ireland as well as the ruffians. The great object of the Government ought to be to get the majority of the Irish people on their side to fight with them against these outrages. It had been said that the hon. Member for the City of Cork and his Friends did not represent the majority of the Irish people. For his part, he thought that, in the main, they did unquestionably represent the opinion of the vast majority of their countrymen. That being so, was the Bill likely to enlist them on the side of the Government? He did not think it would. For his part, he was most anxious that the Liberal Party should co-operate with hon. Gentlemen opposite, and also that hon. Gentlemen opposite should co-operate with the Liberal Party. It was quite right that the Government should seek in every way possible to obtain the co-operation of the Leaders of the Irish nation. Certain Members on the Opposition side of the House had for some days past been discovering mares' nests as to bargains and compacts; but he thought that mare's nest had been thoroughly exploded by the masterly speech delivered by the President of the Board of Trade the other day. He did not know whether Mr. Clifford Lloyd, who had been in England at the time, had had anything to do with the framing of this Bill; but he thought it would do very little good, because it seemed to him that they were unable to catch these assassins; they were unable to obtain evidence when they did catch them, and he did not see what they would gain by appointing three Judges, who would probably insist on stronger evidence than a jury would in order to convict men whom they could not catch, and against whom they had the greatest possible difficulty in obtaining evidence. As long as the political and criminal elements were mixed up in this Bill he could not vote for it; and he trusted they should hear from the Prime Minister that he was disposed to make considerable modification of its more aggravating provisions. The Intimidation Clause, for instance, dealing, as it did, with what might be termed constructive intimidation, went much too far. A father who threatened to cut off his son with a shilling might be brought under its provisions. It was, of course, directed against "Boycotting." Now, undoubtedly, "Boycotting" had its bad features; but a system of exclusive trading was perfectly legitimate. He could not conceive that it was a crime for a man to go to a tradesman and say—"I will not deal with you, because I believe your actions to be unpatriotic." With regard to Clause 5, which punished those who took part in any riot or unlawful assembly, he thought public meetings ought to be encouraged rather than prohibited, so long as no disloyal or improper language was used; and he would, therefore, suggest that the clause should be made to apply to riots alone. With reference to the clause dealing with unlawful associations, he thought that instead of the words "unlawful associations," the words "secret associations for unlawful purposes" should be inserted. Clause 9 gave the authorities the right to detain a person who was out after sunset. "After sunset" was perfectly monstrous, and he thought the Government ought to make the hour 10 or 10.30, an hour when persons were not obliged to be out on account of their reasonable occupations. The whole of the clause with respect to newspapers should be struck out. By that clause the Government were taking greater powers than were exercised even in the case of Napoleon III., because the French newspapers received three warnings before they were suppressed. He considered that the Bill gave far too much general powers to Inspectors and Sub-Inspectors, who were allowed to search whoever they liked. Let search be by distinct search warrants; and he thought it would be well to add to this clause a guarantee of indemnity for injuries inflicted in the carrying out of these search warrants. There had been cases of haystacks and other property being destroyed in the carrying out of these search warrants. He also took exception to the authority which was given to the Stipendiary Magistrates. He thought the arbitrary powers which it was proposed to confer on them would be better exercised by the County Court Judges, though it was a choice of evils. He also invited the attention of the Prime Minister to the duration of the Bill. Three years were too long a period for the Bill to remain in force. No doubt Lord Spencer was a man of kindly feeling; but who could say that he would be Lord Lieutenant of Ireland, or even that the present Government would be in power, three years hence? He could not imagine anything more horrible than that, say, the right hon. Gentleman the Member for North Lincolnshire (Mr. J. Lowther) should be invested with the powers of this Bill. The consequence would probably be that if the right hon. Gentleman the Prime Minister went over to Ireland he would be arrested and put into prison. The noble Lord the Leader of the Conservative Party had said he could not understand what distinction there was between the right hon. Gentleman and the hon.

Member for the City of Cork (Mr. Parnell). The opinion of the noble Lord was that the right hon. Gentleman (Mr. Gladstone), instead of sitting on that Bench, ought to be in Kilmainham. He simply took that as an illustration; and he put it to the right hon. Gentleman whether it was reasonable that he should bring in this Bill with a chance of it, with its enormous powers, being administered by Gentlemen of Conservative views? He thought it was most undesirable. For himself, he believed they would never get to the bottom of the difficulty in Ireland until they recognized that the Irish had a right to exercise every species of jurisdiction in matters that seemingly regarded themselves. In fact, he was perfectly certain that some of these days they must give to the Irish a fair and legitimate Home Rule. He was sure the Prime Minister was anxious to do what was right. His admiration for the right hon. Gentleman was increased whenever he spoke of Irish matters, for his tone was very different from that of many of his Colleagues. Hon. Gentlemen opposite below the Gangway ought to take into consideration the position of the right hon. Gentleman, and that the great excitement in the country owing to the recent assassinations made it absolutely necessary for him to do something. Besides, all the Colleagues of the right hon. Gentleman were not as well-minded as himself. There seemed to be two currents in the Cabinet. There were some Members of it who desired to do everything they could for Ireland; but they were baulked by those of their Colleagues who were called Whigs. [Mr. GLADSTONE dissented.] Well, he might be mistaken; but it appeared to him that though between the Whig policy and the Conservative policy there might be distinctions there was very little difference. The noble Lord the Member for Middlesex said yesterday that the Conservatives anticipated great and material assistance from their more moderate opponents. Well, they had heard a great deal about the treaty of Kilmainham; but he should like to know whether they were going to have a treaty of Bradford? He should like to know whether any overtures for what was called a "Coalition Government" had been made—that was to say, for a little bridge to be made in order to provide for hon. Gentlemen on the Ministerial side who shared the opinions of hon. Members opposite an easy way of going over? He should be exceedingly glad to see these Gentlemen go over, for they greatly weakened the Radical policy on that side, and they could be spared with considerable advantage. The right hon. Gentleman did not acquire power by their aid, but by the aid of the Radicals, who were perfectly willing and anxious to be true to the right hon. Gentleman, and he trusted the right hon. Gentleman would be true to them. He trusted also that the right hon. Gentleman would not allow himself to be influenced in his generous impulses by any advice on the part of Whigs or Conservatives, but would fairly see how far he could minimize the provisions of the Bill, and would tell them before the second reading what suggestions he would be prepared to accept, so as to save them from the painful necessity of voting against the second reading.

MR. MACFARLANE said, he was sorry that the right hon. Member for Bradford was not present, for the few remarks he had to make he should like to make to his face. Though the right hon. Gentleman's name was not on the back, he looked on him as the real father of the Bill, which was due to the crimes which had arisen out of the exasperation caused by the rule of the right hon. Gentleman, who had been the Pharaoh of Ireland for the last two years. He would not attack the right hon. Gentleman; but he must say he did not believe that any man ever went to Ireland with such good intentions who did so much mischief in that time. The right hon. Gentleman brought on that country nearly as many plagues as Pharaoh brought on the land of Egypt. He was quite prepared to admit the difficulties in the way of the right hon. Gentleman; but he listened to bad advice when he went over to Ireland, and the milk of human kindness which was in him turned sour. The right hon. Gentleman had now left the Government. When Jonah went overboard he saved the ship; but this Jonah having gone overboard, was endeavouring to scuttle the vessel. The personal character of the right hon. Gentleman was never attacked; but the disclosures which he made of what might fairly be called Cabinet secrets must have been for political purposes. In employing coercion against Ireland one thing ought never to be absent from the minds of English statesmen—their own part in producing the condition of things with which they had to deal. The Prime Minister was the first English statesman of this age who had endeavoured to do justice to Ireland; and he hoped Irishmen would not forget that much of the liberty they enjoyed, and of the security which the tenants possessed, was due to him. With the name of the Prime Minister he must couple that of the right hon. Gentleman opposite (Mr. John Bright), who had also done much for the people of Ireland. But, he would ask, what was the use of passing laws to try men who were never caught? There was no finer body of men as a military force than the Irish police; but as detectives they were, from their organization, necessarily defective. They carried their noses too high in the air to scent the criminal. If the assassins in the Phœnix Park had been captured, did the House suppose they would not be convicted by any jury in any part of Ireland? This Bill gave great power to the authorities in Ireland. The question was whether that power could be properly intrusted to those authorities. He believed himself that this Bill would create more discontent than already existed in Ireland. He was sure that the Arrears Bill would be a better Peace Preservation Act than the one now before the House. This Bill was not urgent; it could wait. It would not enable them to catch criminals. Nothing would enable them to do that but public opinion. Let them get public opinion on the side of the law, and then they would put down crime. Let the people of Ireland see that the law was intended to strike at criminals, and then they would respect the law. Let the people of Ireland see that the law was aimed, not at politicians, but at criminals, and then they would enlist the law-abiding people of Ireland on the side of the authorities. Did any man believe that the mass of the Irish people sympathized with the criminal class or with crime? They did not. If Her Majesty's Government would consider the effect of the Act of last year they would learn a very valuable lesson. Was it sympathy with crime, with murder, with treason, and with other offences that induced the mass of the priests and people to denounce the Coercion Bill? There was no sympathy with crime; but it was because they knew that the Act was used for oppression that they denounced it.

Colonel O'BEIRNE said, he thought the Bill would be simply what it was intended to be—namely, a terror to evildoers. It was meant for the punishment of those whose crimes horrified the whole country; and he was sure that men who were unconnected with the commission of those crimes would not suffer from its operation. If he did not think so, he would not support the Bill. He deplored the necessity of bringing in the Bill, but deplored much more that a measure like it was not introduced last year instead of the Coercion Bill. He thought the great merit of this Bill—if one of so stringent a character could be said to have merits—was that a man could not be arrested and committed to gaol on mere suspicion. He would have to be tried by the Judges, who were well known to be impartial. The great object of the Bill was to free the people from the tyrannizing influence of secret societies, and to do that the inquisitorial powers which it asked were necessary. The provisions with regard to newspapers he fully approved. There could be no doubt that certain so-called National papers held up to public execration the most deserving men in the country, when high in authority, like the late lamented Mr. Burke and all the Castle officials. Men who read those papers, having no other instructions to go by, got to look upon as very pardonable those murders which took place recently in the Phœnix Park. These papers made light of the assassinations; and he thought that whenever public writings were directed to holding up officials to execration and contempt, the Government had a perfect right, and, indeed, it was their duty, to interfere, because it inevitably led to crime if the public were instructed by a Press of that kind. Therefore, he approved of that portion of the Bill. As to doing away with trial by jury, he was disposed to think there was not much in that beyond the mere idea, because it was impossible to produce any hardship or miscarriage of justice under a system which required the unanimous decision of three Judges to convict. He was not quite so favourable to the proposal to give the Lord Lieutenant full power of control over public meetings, because the Lord Lieutenant might be a political partizan. The clause he did not quite approve of was that one giving complete power to the Lord Lieutenant to suppress public meetings. This power would be oppressive in the hands of a Lord Lieutenant who had a particular Party bias. They had had such a Lord Lieutenant in Ireland. He thought the hon. Member for Dungarvan (Mr. Donnell) confused the Dublin Metropolitan Police with the Royal Irish Constabulary, and that his strictures upon these bodies were too severe. The Irish police were a splendid body of men; and it was his opinion that if, seeing the loyalty and enthusiasm with which Lord Spencer was received, the chief of the police had made a display of police protection, he would have been denounced as mad, if not libelling the loyalty of the capital. He was sure the expressions of detestation in Ireland at the recent assassinations were genuine, and that if there was any feeling of satisfaction at them it was confined to a few persons in Dublin. Generally speaking, he approved of the Bill, because he believed it would enable the Government to cope with crimes such as that which had been committed in the Phœnix Park; and he was sure the Irish people would not object to give the Government sufficient power to drive the scoundrels who perpetrated such crimes out of Ireland. He might, to some extent, sacrifice popularity by voting for this Bill, as he intended to do; but he had more regard for conscience than popularity, and conscience told him he ought to support the Bill.

MR. O'SULLIVAN said, that, knowing what efforts the people of Leitrim made to return the hon. and gallant Member for Leitrim, he was surprised at the bold statement of the hon. and gallant Member that he would support this Bill, which had been declared by one of its warmest supporters to be one of the most extreme Coercion Bills that had been brought forward during the last half century. The measure attacked the Press, and was to do away with trial by jury; and he was astonished that any Irishman should vote for these things. He very much disliked the action of the measure in enabling prisoners to be tried by Judges alone, and should certainly oppose the Bill, because he did not think it was necessary. It was true there had been many murders in Ireland. He believed that there was not a Member of the House who did not deplore those murders. But if the House wished to do away with those murders, they had the power in their own hands, by passing such a Bill as the Arrears of Rent Bill, and amending the Land Act in the direction suggested last year. So long as the landlords could evict the people, leaving them upon the roadside to starve and to take their chance, so long would they have outrages in Ireland. He was as sure as he was of his own existence, that when the Arrears Bill passed they would be as free in Ireland from outrages as any other country in the world. He objected to the power which this Bill would give to two magistrates to sentence a person, without a right of appeal, to six months' imprisonment, with or without hard labour. The Bill proposed to give a right of appeal from the sentence of the three Judges who were to try cases without juries. Those Judges knew the law better than magistrates; and why should there not be a right of appeal from the two magistrates? There were many other things in the Bill of which he had to complain; but it would be more convenient to mention them when the Bill was in Committee. He thought the proposition that this Bill should continue in operation for three years was monstrous. The present Lord Lieutenant would not put the provisions into operation unnecessarily; but should hon. Gentlemen on the Conservative side get into power, they would revenge the passing of the Land Act and the taking of the power out of the hands of the landlords. He earnestly appealed to the House to give the Arrears Bill a chance. If within two months of the passing of that Act crime did not begin to decrease, then this Bill could be passed. He believed that it would be a mistake to urge on this Bill without passing the Arrears Bill at the same time.

MR. J. N. RICHARDSON said, he would vote for the second reading of the Bill, but should reserve to himself the right of voting upon any Amendment he considered desirable in Committee. When the Coercion Bill of last year was introduced, instead of abstaining from voting at all, the probability was that, had he and his Colleagues been older Members, they should have voted against it. The reasons were these—that they were returned—but, perhaps, he had better speak for himself alone—upon the cry of Land Reform. The Government attempted this in 1880; but, from circumstances over which they had no control, their efforts fell through, and then came the Coercion Bill. Although, perhaps, steps of some kind were necessary to support the law, still that measure was to arrest people on suspicion, and it was suspected that it was directed quite as much against political organizations as against crime. He endeavoured to show his constituents to the contrary; but, notwithstanding this, people thought and regarded the measure in the light of a power to enable the landlords to rack-rent tenants. The situation was now entirely altered. The tenant could now apply to the Court to get a fair rent; and he was protected, except under circumstances which the Arrears Bill would amend, from eviction. He had the right of free sale, and, therefore, with the Act of 1881 before them, he could conceive that the tenantry of Ireland would regard the Bill as a measure not directed against their just rights, or just agitation for procuring those rights, but against crime, outrage, and murder, which hon. Members opposite, just as much as he and all right-minded men, did deeply deplore. The crime which had struck terror into every Member of the House was but the last of a series of murders which had occurred on Irish soil. The position of the Gentlemen who lost their lives in the Phœnix Park had caused terror to take a deep hold on the public mind. He could not conceive that those two murders were one whit more atrocious than those previously committed. Therefore, he believed that the Government required some strengthening powers to enable them to deal with the state of affairs which had rendered Ireland a bye-word throughout the world. He felt bound—very reluctantly indeed—to vote for the second reading of this Bill. Some Gentlemen had alluded to the clause regarding the Press. It required one almost to screw himself to a point to vote for anything which appeared in any shape to be a muzzle of the Press. He had been in Russia—the hon. Member for Wexford (Mr. Healy) seemed to enjoy that remark—he had been in Russia, and had been painfully impressed by the way in which the Press was supervised there; but, at the same time, one must look at it in this way. Here was a law about to be passed for the punishment of criminals who committed certain crimes. Was it fair and right and proper to allow papers to be circulated which absolutely incited to the commission of those crimes? He was not aware that anything he had ever seen in a Dublin newspaper, as suggested by an hon. Gentleman opposite, would cause him to make that remark. He alluded more to newspapers that came from abroad; and certainly he had seen incitements to outrage and violence in newspapers sent to this country from America, which no Government ought to allow to be circulated through this country. Notwithstanding the amusing picture drawn by the hon. Member for Northampton (Mr. Labouchere), he felt bound to support the Government in allowing this Bill to have three years' duration, and for this reason—that of two evils one must choose the lesser; and he was not sure that it was not one of the greatest evils to have unpleasant matters discussed in the House before long again. He hoped that during those three years the healing influence of the Land Act would have had time to act, and that the tenantry of Ireland would feel that in the law they had not an enemy but a friend. He knew that the memory of the Irish tenantry was retentive of wrong. Everyone knew that the Nonconformist tenantry of the North of Ireland had suffered under grievous wrongs in times past. They were not permitted to have their marriages celebrated by clergymen of their own persuasion. Those times had passed away. No Nonconformist could be a magistrate, or a Member of the House of Commons. The result had been that in the North of Ireland, as in the South, the British Government had no more dangerous enemies than the Nonconformists of the North of Ireland. Legislation had altered that. They had forgotten those bitter times, and now they were perfectly loyal to the British Crown. He hoped, when the healing influences of the Land Act had time to act, the memory of these bitter times in the South would be forgotten.

Mr. REDMOND said, he was sure there was no one in that House who would not join in the hope of the hon. Member who had just sat down, that the healing influences of the Land Act would have time to act; but he felt that those who were supporting the passage of a measure like this were going the very worst way possible to work to enable the healing influences of the Land Act to operate in Ireland. The Land Act had been a failure, not only because it was defective in itself, but because it had been accompanied by coercive legislation. He looked upon the prospect this Bill opened for Ireland with dismay. The hon. Member for the Tower Hamlets (Mr. Bryce) had asked Irish Members not to repel words of conciliation from the Radical Benches. Their experience of the Radical Members during the present Parliament had not been marked by its association with words of conciliation; but if the hon. Member for the Tower Hamlets were prepared to back up his appeal by opposing this Bill—which he avowedly regarded with little short of detestation—he would be glad to welcome him among those who were desirous of securing some shred of personal liberty for Ireland. The hon. and gallant Member for the County of Cork (Colonel Colthurst) had thought it right to mention circumstances that only tended to embitter the feelings and exasperate the minds of Members on that side of the House. They had had revived the old tale that the "no rent" manifesto was the cause of outrages in Ireland. Some time ago a remarkable list was published in the London papers giving the counties in which the "no rent" manifesto was supposed to have taken root, and to have received a powerful influence. It showed that in those counties where the "no rent" manifesto had exercised the greatest influence the number of outrages was less than in the counties where it had taken little or no hold on the people. The hon. and gallant Gentleman, in leaving the responsibility of this measure with the Government, could not shift from himself the responsibility that belonged to him as the Representative of a large and popular constituency; and, in giving even a negative support to the Bill, he was betraying the interests of those who had sent him to the House. The hon. and gallant Member had taunted them, in an unworthy manner, with having denounced the recent assassinations in Dublin; but not having denounced the outrages that had been previously committed. The hon. and gallant Member, he presumed, must have spoken in ignorance of the facts; for they never spoke on any platform in Ireland without raising their voices against outrage of every kind. The fact was that the action of the Irish Members was misrepresented by the Press, and people were too willing to believe that they were not taking a straightforward course. That it was difficult for the Irish Members to insure the proper representation of their words and actions before the public might be seen from the fact that for his speech at Manchester, immediately after the lamentable outrage in the Phœnix Park, he had been attacked in the London Press for having mentioned Lord Frederick Cavendish, and omitted Mr. Burke, notwithstanding the fact that at the time of the delivery of the speech he was unaware that Mr. Burke had been assassinated. A letter which he wrote to *The Times* newspaper explaining this was not inserted in that journal, although it was one of the London papers that took the matter up. The present Bill he looked upon as one of so grave, complex, and comprehensive character, that he was afraid to enter into its details. The general principle of the Bill was the suppression in Ireland, not of crime, but the expression of public feeling, public sentiment, and open agitation. One object of it was to suppress crime, and another object was to suppress Constitutional agitation. No one would be more ready than himself to vote for any measure that would put a stop to outrage and crime; and if he could be persuaded that this Bill would stop such crimes as those of Phœnix Park, he would be willing to give it his support; but he believed that the only effect of it would be to increase the exasperating causes of crime in Ireland. The difficulty was to insure the detection of crime, not conviction. He had recently compared the judicial statistics of England and Ireland, and he had found that the average of convictions obtained in Ireland was only a few per cent less than the average in England. The difficulty was not to find juries to convict, but to find evidence that would insure conviction. Was it by the appointment of a Commission of Judges that they would be better able to lay their hands upon criminals? If a Bill of this kind had been in operation, what better position would they be in to-day with reference to the Phœnix Park murders? But while this Bill was ineffectual, so far as it sought the suppression of crime, he very much feared that the second portion of it would interdict the free expression of public opinion. So far as it suppressed public opinion, it would tend to increase crime and render its detection more difficult. Many of the crimes committed during the past year had been the direct result of the policy of the right hon. Member for Bradford (Mr. W. E. Forster). He held in his hand a letter from an eminent officer of Constabulary in Ireland, which, after a reference to affairs in Ireland, concluded with this remarkable statement, that—

> "If Mr. Forster had remained in Ireland six months longer, he would have had the population divided into two large camps—one of them composed of landlords, Government officials, and Emergency men; and the other of assassins and secret rebels."

He did not go quite so far as the contents of that letter, for he believed that a large class of Irishmen connected with the popular movement would not be driven into those desperate courses even by the policy of the right hon. Member for Bradford; but the expression of opinion which the letter contained was remarkable. When it was announced that the right hon. Gentleman had resigned his position, and the Government were about to adopt a new course with regard to the political prisoners, he looked with hope to the future of Ireland, because he believed the Government were going to put an end to the policy of suppression and coercion, and pay attention to the wishes of the people of Ireland with regard to the improvement and amendment of the Land Act. But it was with feelings of despair that he saw that because deplorable occurrences had taken place, the new policy of the Government had been revolutionized. It was no answer to tell him that this Bill was drafted before the occurrences in Phœnix Park, for if it was, the Government had no intention of forcing it on the country until they had legislated as to arrears. But now, forsooth, because occurrences had happened which had evoked in the country a feeling of universal abhorrence and regret, unparalleled in the history of British rule in Ireland, the Government had chosen to bring forward a Coercion Act, and to tell the Irish people that they would redress their grievances, but must first deprive them of their liberties. There was no disguising the fact that this Bill deprived the Irish people of every shred of Constitutional liberty. The Chief Law Officer of the Crown in Ireland had stated it as his opinion that the hon. Member for the City of Cork (Mr. Parnell), and, he believed, certain other Members, were "steeped to the lips in treason." He had no doubt that that was the opinion of some of the Judges also. Therefore, when the Bill became law, the hon. Member for the City of Cork and his Colleagues could be sent to penal servitude on charges of treason, without the safeguard of trial by jury, by Judges who had been raised to the Bench for partizan services. Yet, while the Government proposed to place them in this position, they, at the same time, adopted their suggestions and proposals for remedying Irish grievances. The two positions were entirely inconsistent. The Irish Members were either the Representatives of the Irish people, and their opinions were worth considering, or they were arrant rebels, who ought to be hanged or sent to penal servitude. But the Government, while adopting their proposals with regard to arrears, called them traitors in the same breath, and introduced a Bill whereby it would be possible for the Judges to send them to penal servitude. But that was not the worst provision in the Bill. The most iniquitous part of the Bill was that which proposed to invest certain Resident Magistrates with power to convict and send men to prison for six months' hard labour for offences against that Bill—that was to say, for almost any action which a man might be likely to take as a representative of the people. To attend a meeting which the Lord Lieutenant thought improper; to say a word that might be construed as intimidation, or as inciting to intimidation; to pay or receive money on behalf of an association which was supposed to be in the remotest degree connected with a society that was held to be unlawful were constituted offences under that Act. The Prisoners' Aid Society in Ireland collected money for a laudable object; but to subscribe a penny to that society would be an offence against that Act, because one of its objects was to assist many members of the Land League. The network of that Bill was, in fact, so complete, that it would cover every sphere of public life and action in Ireland. If he believed that the measure would strike at the secret societies it should have his support; but he asked how they were likely, by suppressing open agitation, to hit the secret societies? Why, at the very moment when the right hon. Member for Bradford determined to suppress the Land League and put its leaders in prison the secret societies raised their heads. It had been remarked that it was strange that the assassins had not selected the right hon. Member for Bradford instead of Lord Frederick Cavendish. The reason was plain—there was not a man whose life was so safe as that of the right hon. Member for Bradford while he was in Ireland, because the men who were likely to commit assassination of a desperate kind, and who probably belonged to secret societies, saw in that right hon. Gentleman their best friend, and knew that while he remained as Chief Secretary to suppress Constitutional agitation, they would have time and opportunity for spreading their power and lifting their heads again. That Bill would, he believed, strengthen the power of secret societies and increase crime and assassinations, which were a disgrace both to the country which ruled Ireland and to Ireland itself. The measure, while it would weaken the hands of Constitutional agitation, would fail, as every Coercion Act had failed, either to break the spirit of the Irish people, or to teach them to look with more friendly feelings towards England. If the Government desired, by the golden link of the Crown, or by any other means, to preserve the rule of England in Ireland, they were going the very worst way to work, by passing that Bill. That rule must be based on trust in the people—on their goodwill, their contentment, and their prosperity, which could only proceed from just measures and concession to the national aspirations. For his own part, while he was desirous of seeing the English connection, so far as the Crown was concerned, maintained in Ireland, he rejoiced in his heart at every fresh evidence, like what they had in this Bill, of the utter incapacity of this Parliament to rule over Ireland. It proved to the world that the English government of Ireland rested upon nothing but brute force; and it told the Irish people that they had only to remain true to the principles for which their forefathers had died, and their present fathers had suffered, and they would yet achieve the ambition of their lives—a free and self-governed nation.

Dr. LYONS said, in making a few observations on this Bill he was oppressed with a sense of intense responsibility, and felt himself speaking under the dark shadow and the depressing influence of that crime which had, unfortunately, stained Ireland within the last few days. He felt that the situation was one which undoubtedly called for exceptional legislation; and if, in his opinion, the measure introduced by the Government tended to strengthen the hands of justice, and to create new powers for the detection of crime, he should be the first to give it his most strenuous support; but he saw in this Bill dangers of no inconsiderable degree, and of a novel and startling character. He should only criticize one or two points of the Bill; but they were those which raised its main principles. He referred particularly to the 1st clause, which, for the first time for a long series of years, proposed —unwisely, as he believed—to annul trial by jury. Having the experience of the past before them, he was surprised that Her Majesty's Government should take this step in the present crisis in Ireland. The evidence given by the most eminent men before Committees appointed to investigate this question was decidedly hostile to any such change. It was established that after the years 1822 and 1823 a great many outrages took place; and it was deemed necessary to try agrarian offences by Special Commissions, without juries, it was true, but composed of magistrates, presided over by eminent Queen's Counsel, such as Lloyd, Torrens, and Blackburn. The most valuable evidence was to be found in the Report of the Committee of 1824, presided over by Lord Palmerston; and to any impartial mind the results were not favourable to the abolition of trial by jury. Mr. Serjeant Lloyd stated his belief that the Insurrection Act would have been more severely administered by juries, and was in favour of all the trials being by jury. Mr. Barrington, afterwards Sir Matthew Barrington, Bart., Crown Solicitor for Munster—a man of the very widest experience—before Sir Henry Parnell's Committee of 1832, attributed the improved state of Munster "to the vigorous and persevering administration of the law in its usual and ordinary forms;" and in that opinion, expressed in regard to a crisis of even more formidable proportions than the present, he (Dr. Lyons) fully concurred, as furnishing the true solution of the situation—for the percentage of convictions in the trials without jury was only about 16 per cent; while the percentage of convictions under the jury system in subsequent years was 44 per cent. That seemed to him an unanswerable argument in favour of trial by jury. Coming to more recent times, they had the evidence of men whose words were entitled to special consideration in that House. Mr. Justice Fitzgerald—a name which could not be mentioned without every mark of respect, and who, notwithstanding the allegations that had been made against him, was a most upright Judge—stated, in August last, to the Select Committee of the Lords on the Jury Laws—

> "Except in one case, I do not know that I have any fault to find with the action of juries. In that case, a Roman Catholic head was broken, and an Orange jury would not convict. That, however, you will have to the end of time."

Further on he said—

> "I am in favour of upholding and supporting it" (the jury).

Mr. Justice Barry, speaking on a suggestion of trial before three Judges without a jury, said—

> "It is a proposal so startling and so novel that I am not prepared to give any opinion on it."

Subsequently, he stated with reference to trial before two Judges without a jury—

> "I think that would be a very unfortunate suggestion indeed. I think the Irish Judiciary has the confidence of the people. To do anything to destroy that feeling of confidence would be a great misfortune and disaster to the country; and I am satisfied that sending Judges down to try men without a jury would destroy confidence, and I do not think you could ever restore it again. I do not think that the Judiciary should be concerned with anything outside the ordinary course of Constitutional Law."

He (Dr. Lyons) would only briefly, and in passing, allude to one conspicuous case of miscarriage of justice, which, it was well known, had totally destroyed the moral influence of a very able public functionary, and left a disastrous and indelible impression on the mind of the people of Ireland. The case was well remembered by all familiar with judicial history in Ireland, and needed no further reference. Another eminent Judge, also well known and respected in that House, who had a great knowledge of Constitutional Law—Mr. Justice Lawson—had expressed his disbelief in heroic remedies, and strongly stated the regret with which he should view the total abolition of trial by jury—

> "I am not in favour of heroic remedies. I should be very sorry indeed to recommend the total abolition of trial by jury, in consequence of this, what I will call exceptional, condition of things."

And, further on, he says—

> "At any rate, I would abide by the ancient lines of the Constitution as long as we can."

Now, this testimony was very significant as showing the feeling with which the proposed change would be regarded in Ireland by some of the wisest and most experienced of the Irish authorities. A sense of justice was ingrained in the popular mind; but the (happily rare) errors of Judges and the sufferings of innocent persons were not readily forgotten. In the present condition of the country nothing was more important than to foster the confidence that was felt in the integrity of the Judges, as, if it once got abroad that they condemned men by exceptional processes, they would incur an amount of odium and actual hostility which would at once deprive them of all public respect and influence. In Ireland the judicial ermine must, in the words of M. Aurelius, be "dyed to the depths in justice." He, therefore, looked upon this proposal with the greatest dislike, and was sure, if any weight was to be attached to the opinions of the most experienced men, that the Government would before long find out the mistake involved in the proposed measure. The course that the Government were about to take would, he believed, deprive them of the sympathy and support of the respectable classes of the peasantry in Ireland, and would foster the creation of secret societies. To turn to a further part of the Bill, he did not approve of the great powers of summary jurisdiction sought to be given to the Resident Magistrates. He had the pleasure of knowing many of them. He knew they were men who might be trusted to discharge their duties fearlessly; but he could not forget that they had not the confidence of the people. He thought that the proposal that the Stipendiary Magistrates should always supersede the local magistracy was an unnecessary slur upon the character and independence of the latter, many of whom had devoted themselves with great zeal and discretion, as well as with perfect fearlessness, to the discharge of the onerous duties which devolved on them. Secret societies had not, he would fearlessly assert, in the majority of instances, the sympathy of the people of Ireland. Indeed, he believed that a very large proportion of the people were terrorized into supporting them, and that they would only be too glad of the opportunity of ridding themselves of what had become an intolerable incubus. It was of the utmost importance that having, as he maintained the Judges still had, the sympathy of the great bulk of the people, they should do nothing to weaken the hereditary respect which all Irishmen felt for the judicial office, from the days of the Brehon Law to the present hour. In conclusion, he would like to say, from being present on the spot, from a most careful observation of all that took place, that in his lifetime there never had been so remarkable, so widespread, and so profound an impression made as was created throughout Ireland in consequence of the late tragedies in the Phœnix Park. He had taken every possible means to test the feeling of the people, from the highest to the lowest, and he could bear testimony to the intensity of their emotions. If they took advantage of that feeling while it still lasted they had a fuller and a better opportunity of bringing round the whole body of the population to a sense of what was due to law, and of bringing the entire country into a haven of peace, than had been presented for a very long time. They had before them the example of a noble lady, who, forgetful of her own sufferings, and in a manner rarely, if ever, equalled in the history of any country, when all men were crying out for vengeance—when the cry of Ireland herself was that her sword might fall avenging and swift on the perpetrators of this black and foul crime—raised a voice, which to him seemed almost inspired, over that of a wrathful and a troubled Empire. He said only what was true and just to his countrymen, when he stated that that voice had thrilled to the very inmost heart of Ireland; and he believed nothing could possibly have had so great and, as he sincerely hoped, so enduring an influence in restoring the people of Ireland to a full consciousness of all that was best, as that voice which they had heard coming from her who was willing to reconcile herself to the loss of her husband, if it should be for the benefit of Ireland, and prayed that the sacrifice might be accepted at the Eternal Throne for the good of that country, where she had lost the dearest treasure of her soul.

MR. STANLEY LEIGHTON said, he rose for the purpose of asking from the Government an assurance which the country had a right to demand. It was proposed to prevent crime in Ireland by suppressing secret societies. The existence of a League of Assassination was the justification of the Bill; but the operation of the Bill was confined to Ireland. If the measure was to be effective, it must be co-extensive with the area which produced the crime. Secret societies, he regretted to say, existed over almost the whole of Her Majesty's Dominions. If they would provide machinery with which to grapple with these organizations it must co-extend with the organization which it was desired to put down. It was well known that these societies—he did not care whether they were called Fenian Societies or Leagues of Assassination—drew their money from New York, had their bank in Paris, and had branches in London and Liverpool. Ireland was not the only scene of their operations, and a Bill which would affect secret societies in Ireland only would hardly reach the root of the matter. They knew that town halls at Liverpool and Manchester had been threatened, Chester Castle had twice been in danger, twice that explosives had been put against the walls of the Mansion House, that Sergeant Brett was murdered in the streets of Manchester, and that the walls of Clerkenwell Prison were blown down. They sat in that House in comparative safety, not by the good-will of secret societies, but on account of the ample precautions of the police. Every Cabinet Minister had a policeman at his door, and even the harmless Members of the Opposition, he believed, were sometimes obliged to call for similar protection. Would it not be well for them to face these facts in their ghastly reality? If they realized them now they might be saved from the effects of a panic hereafter. What measures ought to be taken he would leave to the Government. But he would merely suggest that the Alien Act, which, under Section 12, did apply partially to England, should be made to apply altogether to England; for if miscreants were driven out of Ireland, surely it was hard that they should find shelter in England, and be able to find here a new base of operations. He would also suggest that the Lord Lieutenant's warrant should run in England as well as in Ireland. He implored the Government to give some assurance to the House that public buildings and the public men of England would be adequately protected against a conspiracy which aimed at the disintegration of the Empire, which carried on its work by assassination, which for two years had eluded the vigorous intelligence even of the Home Secretary, and which had successfully defied the Government of the Queen.

Mr. TREVELYAN: Sir, in rising to make a few remarks on this Bill, I may say that no one, I will not say deserves, but more requires the indulgence of the House than I do. I find myself in the presence of men of great ability and eloquence in many quarters of the House, who have exercised that eloquence frequently on Irish matters, and in whose presence I am called upon to speak, and not only to speak, but shall soon be expected to speak with some degree of authority. I am not an Irishman, and that consideration weighs with me very much at this moment. I have only that general knowledge of Irish affairs which is possessed by every Member who has studied those affairs for the purpose of guiding their opinions, and not for the purpose of addressing the House; and the only consolation I have is that I have studied those affairs during the last 17 years, which have been most fruitful in measures either for good or for evil in the cause of Ireland, and am influenced by a genuine desire for the welfare of that country. Beyond this, I entered on my arduous post with nothing but a certain amount of administrative aptitude and habit, which have been very much overrated by those who confided to me that trust. With these words of deprecation and apology, which must serve as the preface for everything I say and do as long as I hold this post —for I do not again wish to say a word about myself—I shall proceed to explain the views of the new Irish Government upon this Bill, and the spirit in which it is intended to apply it. The general view of the Irish Government is that it, like every Government, exists for the purpose of guaranteeing to everyone his political and personal liberty, and interfering with that liberty as little as possible, or not at all, and to carrying that principle as far as it can possibly be carried; but, at the same time, it exists for the elementary purpose of preventing one man from injuring another in his person, his property, his security, his comfort, and his life. The present Irish Government was disinclined, nay, absolutely averse, to use the law, or to strain the law in such a manner that any of its own opponents, even its most bitter opponents — nay, any of the most advanced of those who wished to change the existing order of things by peaceable means—should ever be anxious or uneasy as to what he should say in public or any action he might take. If it is a question of striking the Government or altering the existing state of things by Constitutional means, there is no latitude we shall not allow; but against crime and against incitements to crime the Executive of Ireland will wage unrelenting and unremitting war. And as the means of the last two years have proved to be inadequate, the Government of Ireland have accepted a Bill the essential provisions of which—I do not speak of any alterations that may be introduced upon it in Committee—they believe will ultimately be successful, and without which they cannot be successful. On one of the most essential provisions of the Bill I propose to say a few words. It is a Bill in which, on the whole, the points come in their order of importance. It is with the Preamble of the Bill that the Executive are much concerned, and when that Preamble is proved, of necessity many other clauses must follow. First of all, as to the question that the ordinary law is insufficient for repression and prevention of crime, I should like to give the

House two or three figures, and in giving them I shall not enter on any Party question, because these statistics might give rise to deductions which might be brought against the two great Parties in the State. I will state simple facts. In 1869 the number of agrarian crimes amounted to 767; in 1870 they amounted to 1,329—a number greatly exceeding that of many preceding years. In 1870 the Peace Preservation Act was introduced. It was a Bill that did not differ in its general character from the present measure, except in two important particulars, of which I cannot disguise or attempt to minimize the importance. It is useless, in a House so conversant with these Bills, to go through the points of similarity between the present Bill and that of 1870. I do not speak now of the different processes by which the different objects were aimed at; but, in their main outlines, the Bills are the same. What was the result of the Bill of 1870? What events occurred coincident to that Bill? In 1871 the number of outrages fell by nearly 1,000 to 373. In 1872 they fell to 256; in 1873 to 254; in 1874 to 213; and in 1875 to 136. In 1875 the right hon. Member for East Gloucestershire (Sir Michael Hicks-Beach) repealed several clauses of that Bill, and, I think, very important clauses. He repealed the newspaper clause, the arrest after sunset clause, and the clause in regard to the arrest of suspicious strangers. From that time agrarian outrages increased. In 1876 there were 212; in 1877 there were 236; in 1878, 301; in 1879, 863; and in 1880, 2,596. Meanwhile, there was a subsidiary class of repressive legislation going on. The Westmeath Bill was introduced for the benefit of a single county which was much disturbed. It was a very short Act, introducing the power of arbitrary arrest, not for strangers, not for persons prowling about at night, but for everyone. The result of that Act was apparently a success. I have not got the figures by me; but, if I recollect rightly, the number of outrages was reduced from considerably over 100—I think from 132—to something under 40. I am not sure, however, of the figures. Encouraged by the success of the Westmeath Act, Government determined to deal with the great amount of crime in Ireland by a general Bill of arbitrary arrests that would resemble the Westmeath Act. That Act has been enforced for about 12 months, and under that Act the outrages have risen to the appalling total, in the year 1881, of 4,439 agrarian outrages. It is evident something else is wanted. What that something else should be is recommended to us by the universal advice of those who are responsible for the peace and order of the country. It is a return to legislation of the nature of the Acts of 1870, but with a very important addition. It is necessary that there should be an addition to the Act of 1870. In the first four months of 1870 there were 1,161 agrarian outrages. In the first four months of 1882 there were 1,879 agrarian outrages. Stronger remedies, therefore, are required to deal with crime in 1882 than were required in 1870. Now, what are these remedies? They are remedies for the worst of all political diseases—a failure in the ordinary modes by which justice is administered in Ireland, and these modes have undoubtedly failed. In the year 1881 there were 17 murders. Four accused persons were brought up for trial, but were not convicted; 5 were waiting for trial at the time of the Return; 8 were not brought up for trial, and none was convicted. In the cases of firing at the person, a very serious offence of the gravest sort, 16 were brought up for trial, but not convicted, and 6 are awaiting trial. Forty were not brought up for trial, and out of 66 only 4 were convicted. [Mr. SEXTON: Four out of 16!] Four out of 66. Two very grave offences stand in a different position. In respect of manslaughter, there were 5 cases, of which 2 were brought to trial and not convicted, 1 remained untried, and 2 out of 5 convicted. In the case of assaults endangering life, 11 out of 26 such assaults escaped punishment by different channels, and no less than 15 were convicted; but when we come to the crime of firing into dwellings, out of 144 cases only 3 were convicted. When we come to incendiary fires, out of 356 cases only 2 were convicted. [Mr. MACFARLANE: How many were caught?] In dealing with figures as large as these very great exceptions and deductions may be made. It is quite impossible for me now to enter into these deductions, though I can quite understand that very powerful arguments can be made by hon. Gentlemen opposite upon them. Now these, with the exception of treason and treason-felony, are the only crimes which are submitted to the special tribunal. I leave it for lawyers to determine the character of that tribunal, and the manner in which its proceedings are to be regulated. It suffices for the Representative of the Executive in Ireland to establish, as I think, by incontrovertible figures, the urgent necessity for some change of tribunal. But besides these ostensibly grave and more shocking crimes, which, in a somewhat spasmodic manner, do receive some sort of punishment, there are minor acts which, though they are of the nature of crime, and lead to graver crimes, are hardly punished at all. Intimidation, which in some cases actually deprives men of property which is their due, and in all cases makes them lead the most miserable life which a human being can lead, a life of mental agony—intimidation practically escapes with impunity. Of 2,191 threatening letters, many of which, I allow, may have been practical jokes, but of which a very great number indeed were meant to give pain and meant to terrify the authors, 5 only were discovered. Out of 415 cases of intimidation by other means only 32 were punished; and it is really no wonder when we look at the nature of the processes by which the crime of intimidation are punished. In Ireland, as in England, there is, indeed, a summary jurisdiction in cases of intimidation; but that is ineffectual in Ireland, mainly for two reasons. The first is that the accused can claim to be tried by a jury, and the second that actual intimidation must be proved; and in Ireland the person intimidated frequently refuses to prove the fact. In view of these circumstances, the Bill proposes to empower magistrates to deal with those cases summarily, and to punish the offence with imprisonment and hard labour for six months. That is a clause upon which I conclude the Government will insist. As to certain details, as to who these magistrates should be, I know that during the week I have spent in Ireland the Irish Government is very willing to consider every suggestion that is laid before the House. What I cannot but regard as still more valuable is a suggestion which has been thrown out by men who, I venture to think, heartily sympathize with the people of Ireland. I am willing to agree that not the only cause of impunity is the defect of the tribunal. There are several other causes, of which the first is the difficulty of getting evidence. This will be very largely obviated by the 13th clause, which gives the power to Justices to summon witnesses under recognizances, and to hold a sort of independent inquisition, even when they have not got an accused person before them. Then comes Clause 14, which gives the power of detaining witnesses. Whether that clause is too strong or not is a question, no doubt, open to discussion, and will be hereafter discussed. But there is an extremely important clause on which, in some shape or other, the Irish Executive insist much, and that is the 11th clause, by which it is lawful for the Lord Lieutenant to direct by warrant the Inspectors or Sub-Inspectors to search, at all hours and under all circumstances, for the instruments and evidence of crime. One great cause of the impunity of crimes is the neighbourhood having no pressing interest in the prevention and detection of crime—that is to say, having no interest sufficiently pressing to counteract the terrorism that too often exists. Under these circumstances, the clause, directly by fine, and indirectly by imposing on the district the costs of the extra police, will give the timid, and even ill-disposed, an interest in the suppression of crime; it will become the duty of the Government of Ireland to attend to the suggestions of the hon. Member for Carlow (Mr. Macfarlane), and they have already recognized it their duty to do all they could towards the prevention and detection of crime, and to further increase the effectiveness of the police. On this point I do not wish to be misunderstood. There is no cause for any sudden change in the *personnel* of the Irish Administration. The very able administrator, Mr. Hamilton, who now holds the place of the late Mr. Burke, is far too cognizant of public affairs, has far too great a sympathy with the permanent officials of the country, to bring in the possibility of a clean sweep, or what may be called heroic remedies; and I venture to say that Lord Spencer and both his Secretaries entertain the greatest admiration and gratitude to the men who have borne the heat and burden of the day for the last two years both in Dublin and in the country towns, and who have worked bravely and strenuously, with little hope of reward, such as English officials usually expect. The gratitude of the country has been proved by the grant of a gratuity of £180,000 to the Constabulary, as a recognition of the extra exertions during the last arduous two years. I should like to read a short letter addressed to Mr. Hamilton by Sir Ralph Lingen. It says—

> "Some means should be taken to make known to the Constabulary that they owe the Treasury's assent to the grant of £180,000 to Lord Frederick Cavendish, who bestowed the greatest pains on the study of their case, and one of whose last Papers in the Treasury—as far as I know, his very last—was on this subject. Had he not been murdered, the letter you had on the 10th would have gone to him as a confidential draft for final settlement. While they acknowledge the fulfilment of services of those engaged in preserving order in Ireland, the Government will strain their utmost nerve to see that as little as possible should be wanting in the organization of the Constabulary, and especially in maintaining the position of the Detective Force."

Then comes the question of public meetings. On this subject the Government of Ireland holds a very strong opinion indeed. There are circumstances in which inflammatory meetings are just as much the engines of sedition as arms and ammunition. When a district is in a state of violent excitement, and especially when the excitement is directed against individuals and special classes, a violent public meeting is a terrible incentive to crime. The power of the Lord Lieutenant under these circumstances is doubtful, and at this moment litigation is actually pending. It is very doubtful, and the method of exercising it is dangerous in itself, because, in order to prevent a public meeting, it must be dispersed and prevented by force. The 7th clause proposes to give the Lord Lieutenant power to prohibit a meeting and enforce his order by punishment under the process of law enjoined under the Act. But the opinions which the Irish Government hold on public meetings have another side to them. Where a meeting is allowed to be held, where there is no objection on the ground of public safety to holding it, then the Government will be very slow indeed to take any action whatever on what is said at it. It is not the words, but the circumstances under which the words are spoken, and the intention with which they are spoken, that justify and call for interference. After careful consideration of the probable meaning of the speakers, the words spoken at Belfast on the 6th of May by Father O'Boyle and the Rev. Mr. Rylett were considered by Lord Spencer not such words as he thinks right legally to animadvert on. In this fact the noble Lord gives a pledge—and a very sure pledge—that the Government is making war against crime and not against opinion. If hon. Members will read these words carefully, and will read the context carefully, I think they will show them better than anything else the principles on which Lord Spencer proposes to govern Ireland. With regard to newspapers, you have here a most potent incitement to crime; and here there rests the same uncertainty as regards the law. The Law Officers advised that a paper containing matter of a certain class might be seized under Common Law. The Government ordered *United Ireland* to be seized, and there is in consequence an action proceeding against the late Chief Secretary and against Captain Talbot, the head of the Dublin Police, and I think, also, against a constable. Now, Sir, I do not think it can be denied that there are newspapers which absolutely poison the minds of the people with exhortations to crime and outrage, and with less odious, but not less dangerous, incitements to rebellion. Passages might be quoted from *United Ireland* that too well bear out what I say; but it is not on what is contained in the papers published in Ireland that I rely. In the first place, many articles to which great exception has been taken in this House and the English Press do not appear to me to exceed the bounds, I will not say of mild and moderate, but of political controversy. There are very few papers published in Dublin, and none of established fame, the printers and editors of which desire to go to unjustifiable excesses, and few, such as *United Ireland*, which cannot be said to always keep within bounds, or generally are kept within bounds by being published on this side of the water. It is not to what is written in Ireland, but to what is read in Ireland, that we must look, if we are to judge of the necessity of making the law, not more severe, but more certain. Let anyone read *The Irish World*, let anyone read the atrocious sentiments in *The United Irishman* of

Mr. O'Donovan Rossa, and he will allow that not only must such papers not be allowed to circulate in excited times through an ardent population, but that some means should be found to frame a law by which such pestilent wickedness shall not be published on Irish soil. If the men who are in league with the writers of such stuff, the men who rallied round O'Donovan Rossa to spoil the unanimity of sentiment with which the Irishmen of New York would have declared their abhorrence of the recent crime, form a new organization for the purpose of crime, I claim it for the Government that they are right in asking, by the 12th clause, to have the power to remove these people before the crime is committed. Now I have gone through the provisions of the Bill. There are points, no doubt, which are susceptible of discussion and serious modifications; but, in the main, I believe it is a Bill carefully and effectively framed against crime, and not against liberty. The Bill is not directed against patriotic and public-spirited aspirations, in whatever direction these aspirations are directed. I am sorry not to see my hon. Friend the Member for Newcastle (Mr. Joseph Cowen) here. It is not against the people with whom my hon. Friend sympathizes so deeply and warmly that this Bill is directed. I will give a specimen. In the month of October, 1881, in the county of Clare, the muzzle of a rifle was thrust through the window of a man named Molony, and the man was shot dead. The victim of this outrage had paid his rent, although violent notices had been posted warning tenants not to do so. In the county of Cork, on October 4, Patrick O'Leary, the son of a farmer, aged 22, was fired at by one of a party of men unknown, and died the next evening. The party numbered eight or nine, nearly all of whom were disguised. They visited the houses of several tenants, and asked the inmates whether they had paid their rents. In the King's County, on the 28th of September, A. Stewart was fired at and wounded by two men on the roadside. He had been helping to save the crops of a cousin who had been "Boycotted." In the Queen's County a party of labourers were driving along the public road, when they were fired at by men behind a fence, and six of them were wounded, two seriously; they had been working for two farmers who had been "Boycotted." Michael Walsh, a farmer, was fired at and wounded by one of a party of six or seven men, who had warned him and others not to pay rent. These are a few instances of cases of which there are hundreds and thousands distributed throughout Ireland. It is on the strength of these events that the Government believe it to be their duty to make a manful stand in defence of life, property, and private liberty. They deem it to be their duty to get this Bill passed, and have it put into administration without flinching. It is their hope and firm belief that when such is known to be their determination, it will be found that there are vast numbers —indeed, the vast majority of the people of Ireland—who are sick of the system of terror, and whose desire is to go about their daily work in peace, quiet, and safety, and that when this Bill becomes law, and is executed as the law ought to be, these people will, gradually and slowly, perhaps, but certainly and cheerfully, rally round the Executive Government. Lord Spencer, during his last tenure of administration, was, I believe, popular in Ireland. Even on that terrible day of his recent entry, and still more during the trying days that succeeded it, there have been considerable proofs that the people are glad to have him back again among them. Many think, and I believe, that that popularity was in no small part due to the fact that Lord Spencer, during his late administration, won the sympathies of the loyal and the orderly by recommending and administering the Peace Preservation Act of 1870. Sir, popularity may come, or it may not come, to the Irish Government. In the present state of Ireland it is hardly what they can hope for; but in making war against crime and maintaining peace, everyone, however bitterly opposed to them, who is not associated with crime —and I firmly believe the hon. Gentlemen whom I know in this House, and whose private acquaintance I have long enjoyed, are not associated with crime —will know that, whatever be the result, they are doing their duty.

Mr. GIBSON said, the right hon. Gentleman opposite (Mr. Trevelyan) had naturally asked for the consideration of the House on that his first appearance in his present responsible position; but, recognizing his high character and abilities, he (Mr. Gibson) was satisfied there was but little need for consideration; and he believed that there was no Member of the House, and none from Ireland, who would not desire to extend to the right hon. Gentleman the fullest consideration, entering, as he did, upon his Office in those anxious, troubled times, and to give him every opportunity of mastering the important details which belonged to his responsible duties before he was subjected to any criticism. The speech he had just delivered was evidence that he approached the discharge of his duty with a thorough sense of grave responsibility, and with an anxious desire to do to all classes in a distracted country like Ireland what he believed to be justice. It would be unreasonable to expect that he should lay aside or forget his political views; but he (Mr. Gibson) recognized with pleasure, whatever the right hon. Gentleman's own political views might be, in the short speech he had given them, his wish that justice, so far as it could be achieved by the Irish Executive, should be administered to all classes impartially; that the primary duty of Government to guarantee liberty and the protection of person and property would not be lost sight of, and that it should steadily make war against crime and incitements to crime. He (Mr. Gibson) had heard with satisfaction that the main essential details and principles of the Bill were decided upon some time ago. He was also pleased that it was not introduced a few days ago, because he thought it was eminently desirable that an important legislative proposal, of so grave and serious a character as that before them, should be presented to Parliament and the country with every possible indication of deliberation and forethought. Such a measure should not be introduced with anything that could indicate panic, exasperation, or revenge; but it should be simply presented as a measure honestly framed for the purpose of restoring order and preventing outrage, and to insure that if crimes were committed in the future they should not be committed with impunity. The hon. Gentleman had, he thought, rightly gauged public feeling in this matter; the public had the right to be satisfied as to the real position of affairs, because a correct understanding of them would furnish the best indication of the remedy. Painful facts had to be looked in the face, and not glossed over with a kind of denial which everyone would be glad of, if they could believe it to be true. There was much disloyal feeling in Ireland; it was associated with a strong feeling against law—first, because it was law; and, secondly, because it was English law; and he had yet to learn that English law, which, all the world over, was associated with the highest administration of justice, was not entitled to the fullest respect. It might be that often and for many a long day this disloyal feeling had remained dormant and torpid; but it could easily be galvanized into life. That was a fact which he thought was present to the mind of the right hon. Gentleman in the powerful remarks he had made, indicating the necessity of regarding the circumstances which surrounded public meetings. They all knew that words uttered on certain occasions might be perfectly innocuous; but that the same words, having regard to surrounding circumstances, might be attended with the greatest danger to the common weal. There was, as everyone knew, too much knowledge of the terrible state of demoralization in which Ireland was at the present moment not to justify the right hon. Gentleman. He (Mr. Gibson) was surprised to hear the hon. Member for Dungarvan (Mr. O'Donnell) go back upon the old story of the evictions, because it had been demonstrated, over and over again, that the crimes which had disgraced Ireland so long were not connected with evictions. ["Oh!"] The figures demonstrated with mathematical precision that there had been most crimes where there had been fewest evictions. That had been demonstrated in January last year by the Prime Minister, and the hon. Member for Dungarvan would do well to peruse his speech. One thing that had oppressed him (Mr. Gibson), in considering this matter, was that the outrages and murders had increased, not only in number, but in barbarity. A few years ago they would not have heard of the outrages on dumb animals, and murders like those of Mr. Herbert, for performing his duties as a juror, and of Mrs. Smythe, would have provoked a thrill of horror which he had not seen manifested. In many a village churchyard in Ireland innocent blood cried out for justice, and had, for many a month, been allowed to cry in vain. Recently they had had that hideous catastrophe in the Phœnix Park, a miserable piece of brutal savagery, of wretched butchery. It sent to an early grave the latest martyrs in the cause of law and order. That was a political execution carried out by savage methods. It was deliberately planned and brutally accomplished with cold-blooded directness. The assassins had, up to that time, eluded pursuit, protected by cowardice, by much terror, and, he blushed while he feared to say it, even by some sympathy. It was idle to utter platitudes on the subject, as the hon. Gentleman (Dr. Lyons) had done that night; but the fact remained that four men, accompanied by a carman, had committed that crime in the daylight, and had not yet been arrested, and it was a fact that could not be passed over. It was said that these men were strangers —he wished to God they were; but if they were, would they not have been all the sooner found out and all the more readily given up? All the water in the sea or in the streams of Irish rivers could not wash Ireland clean from the shame of these brutal and cowardly murders as long as the assassins were not brought to justice. The condition of Ireland to which he referred had been its condition for a considerable time, and it was such as to clearly indicate how these things had been brought to pass. During that time the people of the country had been demoralized—they had been accustomed to murders; they had been accustomed to hear those murders reproved by a very tepid reproof; they had been accustomed to see the perpetrators of those murders get off with impunity, an impunity due either to the cowardice or to the sympathy of the public. Why, therefore, he asked, should we not expect these familiar conditions of things to be repeated in connection with these last and most recent murders? He was glad that the facts of the case, and of the problem to be solved with regard to the government of Ireland, had been at last recognized by Her Majesty's Government. He should, however, not be doing justice to Irish feeling on this question if he did not repeat what had already been said that night by the hon. Member for Armagh (Mr. J. N. Richardson)—namely, that in many a family, and in many a household in Ireland, the sad and bitter feeling prevailed that their fathers, and the children, and sometimes the wives had been shot down; and that but little sympathy had been expressed for them, while much apathy had been shown in the endeavour of the Government to bring the offenders to justice. The Bill might have been drafted when these persons were murdered; but it was not brought in. The right hon. Gentleman the Prime Minister, in introducing this measure, had expressed a hope that it would meet with ready acceptance at the hands of hon. Members. That hope was one that was entitled to the most respectful consideration by the House. No one could desire that the Bill should be in excess of the requirements of the occasion, while no fair-minded citizen would wish that the Bill should not be sufficiently strong to enable the Government to put a stop to these cowardly outrages. He had asked himself, what were the conditions of a Bill of that character; and whether that Bill would really enable the Government to cope with crime in Ireland? The Bill must be one that would grapple with crime, that would try to prevent crime; and, if crime was committed, would struggle to take away that impunity which developed and encouraged crime. A weak Bill would be absolutely worthless, and a strong Bill meant a real Bill. Would that Bill really cope with crime and with criminals? Did it jeopardize a single innocent man, or would any loyal, law-abiding citizen object to the possibility of inconvenience if it increased the probability of arresting crime? Without entering into the details of the measure at the present moment, he would touch briefly upon a few of its salient points. What the right hon. Gentleman had said with regard to the clauses referring to meetings was far more to the purpose than the arguments of those who objected to those clauses had been, and who had described the liberty of free speech as being in danger. There were meetings and meetings; and he trusted that the Government, while not damaging the Constitutional freedom of discussion, would have no hesitation in putting down meetings which would have a tendency to lead to disturbance and to encourage lawlessness. As to newspapers, he was glad to hear that some strong words had been used on the part of the Government that night, which indicated that, whatever modifications might be made hereafter, they would keep no terms whatever with the assassin Press that came from abroad; and that no sympathy would be shown with the horrible moral poison which was being sown broadcast throughout Ireland. With regard to the clause permitting searches to be made at night, he thought that, if the principle of no searches at night was established, it would be a principle encouraging those who, for good reasons, did not desire to be searched at night; but it would not lead to the establishment of law and order. As to the Summary Jurisdiction Clauses, to which reference had been made, it was one thing necessary, in the present state of affairs in Ireland, that effective and speedy punishment should follow upon the commission of plain offences; and no Bill dealing with that state of things would have much chance of effecting its object unless it considerably increased the summary jurisdiction of the magistrates. Objections had been raised to granting that increased jurisdiction—first, to the unpaid magistrates, and then to the paid magistrates; but, unfortunately, no hybrid race of magistrates existed who were neither paid nor unpaid. One of the most important and essential provisions of a measure of that character would be abandoned if that one was not retained; and if, in Committee, it was determined to water those powers down, it would be a great deal better to omit them altogether. It was suggested that the County Court Judges and Quarter Sessions might be vested with the power which it was proposed to give to stipendiary magistrates; but, if that were done, it would not be summary jurisdiction. Objection had further been made to the three years' duration of the Bill; but, if such an enactment was really necessary—he was afraid that it would be utterly hopeless to think of settling the country in a less time—it would be quite absurd to give it a shorter duration. Indeed, he should be only too glad to find that law and order had been restored in that time. It might, perhaps, have been well, as he had been led to expect, that some of the provisions of this Bill should have been so drawn that they could have been grafted upon the general law of the country. One of the great evils of Irish administration was that there had been a series of temporary Acts constantly renewed. It would, in his opinion, be a great deal better to recognize the chronic difficulties of Ireland, and to grapple with them by general legislation, for the whole history of the country demonstrated that some change in the general law was required rather than making those eternal temporary laws. As the right hon. and learned Gentleman the Secretary of State for the Home Department had said, the first portion of the Bill was obviously of the most extreme importance. That was the part which constituted the new tribunal and suspended trial by jury. It was grounded on the breakdown of the jury system in agrarian and disloyal cases, and everyone acquainted with Ireland knew that it was absolutely necessary in view of the scandalous acquittals which had taken place. The absence of evidence was often explicable by the certainty of an acquittal. Witnesses declined to come forward when they knew that their evidence would be of no avail, and that they would be liable to outrage. The suspension of the jury system would, he believed, be attended by the most beneficial results. It would act as a great deterrent of crime. When a real trial was waiting every criminal, and he knew he had got no partial friend on the jury, it would tend to encourage witnesses, and to discourage the cowardly perpetrators of cowardly outrages. Therefore, he regarded the suspension of trial by jury as, in itself, a step towards the restoration of law and order. The alternative method of the present Coercion Act could not be carried out for an indefinite period. It was repugnant to our notions to keep men always in prison without trial. It had been suggested that unanimity on the part of the jury should not be insisted upon; but all acquainted with Ireland knew that such a proposal was impracticable, and that the one thing which had saved great scandals was that unanimity. If unanimity had not been required, and one or two fearless men had not held out for a conviction, the result, in many cases, would have been an acquittal by a majority, instead of, as now, a simple disagreement. Therefore, the idea that that difficulty could be got over by the abolition of unanimity was a suggestion which showed that those who made it did not understand the conditions. If the new tribunal was to be efficient, it would require to be strong and to be trusted. He did not mean that it should, as of course, be trusted by what was called by some hon. Members " the people "—for a tribunal composed of three archangels would, in all probability, be denounced before the end of the year, but trusted by all right-minded and right-thinking men who wanted to see law and order restored. The Government proposal was of a very grave and serious character; it was that the new tribunal should consist of three of the highest Judges in Ireland. The Judges of Ireland, in his opinion, were entitled to be spoken of in terms of unmeasured respect. They were men, all of them, he was proud to say, his personal friends, of rare and exceptional ability. They were men of blameless lives; they had the highest sense of public duty, and discharged their important duties, amid great difficulties, fearlessly and loyally. Everyone knew the ordeal that public men in Ireland had to face. No matter who they were or what they were, they were accused of everything conceivable as regarded evil, and the Judges themselves did not escape that ordeal. They had been attacked sometimes; they had not been very much defended. This Bill proposed to put them in a position unquestionably of unpopularity, and which might be attended with danger. They lived in the country with their families and households, and it was obvious that the duties cast upon them must be attended with danger as well as unpopularity. Whatever they did they would be attacked and accused and reviled, and that was certainly a serious position in which to put men who wore the judicial ermine. With regard to the opportunities for attack, the fact that their salaries would appear in the Estimates would lay them open to prolonged attacks in that House—attacks which could not but be hurtful to honourable minds. That was a circumstance which he was sure had escaped the attention of the Government. He would not criticize this provision in any detail; he had no doubt the Government had given a good deal of consideration to the matter; but he hoped the result of such a proposal would be not to lessen the dignity and weight which surrounded the character of a Judge. By creating an exceptional tribunal like that they might have these men one week charging juries upon questions of fact, and the next acting as juries themselves. If that were a change in the general law of the country it would be different, because, of course, every Judge was bound to administer the law; but by the change proposed—and this was an argument against a very short Bill—they asked the Judges to assume that important jurisdiction for a period of only three years. He would, however, pass it by, and would say nothing further about it at present; but he was disposed to think that the clauses with respect to appeal would require immense consideration in Committee. If they made an exceptional tribunal of three of the highest Judges in Ireland they were bound to give to them entire confidence; but the Bill was so framed as to appear to indicate distrust of the Judges, for they were allowing appeals to be made not on the question of guilt, but on the discretion of the Judge in passing sentence. It was a perfect novelty in our law to invite appeals in criminal proceedings in every case. He could understand giving appeals on questions of law, while enabling the tribunal itself to reserve questions of fact; but he could not understand what was proposed by the Bill. He did not think it possible to defend the proposal to give an appeal against the sentence pronounced by the Judges. The three chief Judges of Ireland might decide to give a man five years' penal servitude; and would it not be casting a slur upon the Bench to give an appeal, not as to the guilt of the man, but as to the discretion of the Judges? This Bill was so constructed that, practically, there must be an appeal in every case, because they said to the prisoner—"If you do appeal, you suspend your sentence," and they paid the cost of the appeal; so that, instead of swift and certain justice, they had dilatory and delayed justice. He hoped, when the Bill got into Committee, the clauses as to appeal would be carefully examined, with a view to enable them to work more smoothly. Then there was another point which he thought was open to question—namely, the bringing of the Executive into contact with the Judicial Body more than was necessary. He (Mr. Gibson) thought there should be something of system in the arrangement. This method of trial by Judges had been selected by the

Government; but other methods had been suggested, and he supposed they were familiar to hon. Members. As Irish Judges, with their families, living in Ireland, might be in danger, it was suggested that the difficulty might be got over by selecting English, or Indian, or Colonial Judges. He would not make any remark on that suggestion. It had also been suggested that special commissions, presided over by Queen's Counsel, might be issued, as was done some years ago. As the persons who entered into that arrangement would do so with their eyes open, he would not criticize that proposal. Then it was said that it would be a less violation of Constitutional forms to give a trial in England with a Judge and jury than to give a trial in Ireland by Judges without a jury. As to these matters he would say nothing; he would only make this general observation, that in Committee the clauses in question would require examination and, perhaps, revision. He regretted not to see in the Bill a strong and clear power of changing the venue. That power should be given to the Attorney General, or some other person of equal responsibility. If such a power were in the Bill, the Executive of the day might see that they could deal with cases by changing the venue without the issuing of special commissions. Another thing had been suggested to him, upon which he had not made up his mind, but merely threw out as matter worthy of consideration. In dealing with a country like Ireland, it was always better to obviate criticism. If they were to have only this tribunal of three Judges, they would have criticism passed upon it; and it had been suggested that if the alternative were given to a prisoner of being tried, if he choose, at the Central Criminal Court, before a Judge and jury, much of the sting of criticism would be removed. The other clauses in the Bill he passed by; but he thought when so much was said, and easily said, with reference to coercion, it was desirable to draw attention most distinctly to the fact that there was no power whatever of arbitrary arrest throughout the whole of the Bill. It was also necessary to observe that there was no power to detain any man in prison without trial. Therefore, unless every Bill that was in the direction of maintaining law and order was to be called a Coercion Bill, he did not see why this Bill should be specially baptized with that name. He sincerely hoped this Bill would be a terror to evil-doers. Some legislation, deterrent, preventive, and punitive, was absolutely necessary in the present state of the country. He thought the Government was fairly entitled to ask for every fair support in carrying a measure framed expressly for the purpose of repressing crime and enabling, if possible, the present coercive legislation to be dropped. The administration of this Bill was, in his opinion, as important as its clauses. He was glad to hear the hon. Gentleman opposite, the Chief Secretary for Ireland, state that he would administer the Bill fairly and, of course, justly, but still with unflinching firmness. Every man who should vote for it had a right to hope and expect that when the Bill was enacted, it would be used to quiet and tranquillize the country, and that the House would show in the most unmistakable way that Parliament was determined to assist the Executive in its difficult and responsible duties.

Mr. T. A. DICKSON said, he had always been opposed to a policy of coercion both in that House and in the country, and no Member had been more persistent in denouncing measures of this kind than he had been; but he was sorry to say that he was compelled, reluctantly, by the recent terrible events which had occurred in Ireland, to vote for the second reading of this Bill. But, in voting for it, he should do so solely on the ground that it was a measure aimed at the suppression of secret societies. If he did not believe that this was the main object of the Bill, he should not support the second reading. He had listened that night to the remarks of the hon. Member for the City of Dublin (Dr. Lyons); and when he spoke of the terrorism of the secret societies which now existed all over Ireland, he (Mr. T. A. Dickson) felt convinced that the speech of the hon. Member proved the case of the Government and the absolute necessity for the measure. Would it be reasonable, or would it be fair to the House, to ask the Lord Lieutenant and the Chief Secretary to face the coming winter in Ireland without giving them power to deal effectually with secret societies and the repression of crime? They all knew that the Lord Lieutenant and the Chief Secretary were now in a position of danger and of difficulty; and when they heard it stated, as they had that night, by the Chief Secretary, as the responsible mouthpiece of the Lord Lieutenant, that the measures denoted in the Bill were absolutely necessary for maintaining the peace of Ireland, he, as an Irish Member, would be very slow to refuse them the power which they declared to be absolutely indispensable. He voted for the second reading of the Bill, because he had the most implicit confidence in the administration of the Act by the Lord Lieutenant and the Chief Secretary. He agreed with the remark made by the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson), that the Bill would be mainly valuable upon one point—that, while it might not succeed in punishing crime, it would be effectual in deterring from the commission of crime. He regarded that as one of the most important matters connected with the Bill. But, having said that he would support the second reading of the Bill, he wished it to be clearly understood that, in Committee, he should not vote for the clause by which it was proposed to extend its operation over a period of three years. He believed that one year of such a measure in Ireland would be enough; and he believed also that if, at the end of the year, the measure had not been found effectual in maintaining law and order and in restoring peace, a great deal more would then be required. He should, therefore, certainly vote against the continuation of the Bill for a longer period than one year. He should also oppose the power of summary jurisdiction being given alone to the Resident Magistrates, to the exclusion of the local magistrates. If the local magistrates chose to sit at petty sessions, and to sit in the Court of Petty Session, and did their duty there, the stipendiary magistrates should not be left to act alone; and he would be no party to a Bill which would exclude the local justices from the responsibility of taking a fair share in the administration of the law in the Court of Petty Session. If he read this Bill rightly—and he thought the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) had confirmed his impression—no man, under its provisions, could be imprisoned without a trial: and the Act itself would only apply to counties or districts which had been specially proclaimed by the Lord Lieutenant, and in which crime and outrage were known to exist. As far as he knew, those counties in Ireland where law and order had been maintained for many years past would be in no way affected by the Bill. He was bound to say that no Member of the House had rejoiced more than he had at the temporary relaxation of coercive measures by the Government. No one had more rejoiced at the release of the hon. Member for the City of Cork (Mr. Parnell), and at the abandonment of the coercive policy of the Government; and he should not support the second reading of the present Bill if he could forget the fact that the conciliatory course of the Government had been followed by a crime which had left an indelible stain upon Ireland's honour. He could not forget the fact that that crime in Ireland had followed immediately upon the policy of conciliation being entered into. It was evident that a murderous organization existed in the country which only this Bill, or something like it, could grapple with. The Bill would deal a vigorous blow against such organizations; and he should, therefore, vote for the second reading, reserving the right of supporting in Committee such Amendments as he might deem necessary.

Mr. A. ELLIOT said, he intended to support the Government, not only on the second reading of the Bill, but in Committee also. It had occurred to him that it was a remarkable fact that so many hon. Members declared their intention to support the second reading of the Bill, but to emasculate the measure when it got into Committee. He entirely differed from those hon. Members on that side of the House who had apologized for certain portions of the Bill. Minor measures had been tried with but very partial success, and exceptional powers still being necessary, it occurred to him that it would be almost criminal folly to attempt by mere tinkering to remedy the very terrible state of things which now prevailed. No doubt, the measure was a singularly stringent one; but he had heard with the very greatest pleasure in the speech of his right hon. Friend the Member for the Border Burghs (Mr. Trevelyan), that it was not only his intention to pass the Bill substantially as it was, but to act upon it vigorously when it became law. It must be remembered that the Bill was brought forward by the Government on its own responsibility, after very careful consideration. It was not a Bill brought forward in mere hot blood, because gentlemen whom they all knew and valued had been assassinated in Dublin. On the contrary, they had it on the authority of his right hon. and learned Friend the Home Secretary, that the Bill was prepared, although it was not drawn up in detail, before those murders took place. The House, therefore, had every right to expect that it had been prepared after careful consideration, not with regard to the recent murders only, but to the terrible condition of affairs in Ireland for a long time past. When this Bill was brought before them, he ventured to think that the right course for loyal Members of the Liberal Party to pursue was to support it as a whole; but if, on the contrary, it was to be thrown upon the Table, and every Member of the Party who thought he could improve it was to pitchfork into it an Amendment of his own, and to pitchfork out every section he objected to, it was evident that before long they would find themselves at sixes and sevens, and instead of having a consistent Bill, thoroughly thought out by the best heads among those who sat on that side of the House, they would simply obtain a measure expressing the different opinions of a large number of hon. Members. He was glad to find that the Bill had been strongly supported by, at any rate, one hon. Member from Ireland—the hon. and gallant Member for the County of Cork (Colonel Colthurst). The hon. and gallant Member supported the Bill without hesitation, and without saying that in Committee he would be prepared to submit Amendments. There had been remarks made against the details of the Bill, which appeared to him to go to the very gist of the measure. For instance, to object to the summary jurisdiction provided by the Bill was to get rid of three-fourths of its advantages. If the Resident Magistrates were not fit to do the work, how were prisoners to be tried at all, and what were they to do? It was quite true that the Bill provided for the trial of the more serious offences by three Judges, and no substantial reason had been adduced why the summary power to dispose of minor offences should not be vested in the Resident Magistrates. One objection to the Justices of the Peace was that they were landlords. Another objection was that the punishment awarded to persons found guilty of the offences included in the Bill was of a terrible character. Now, what was the punishment provided for the offences against the Act? One of the offences dealt with was belonging to any unlawful association organized for the purpose of committing crimes. The punishment provided was a maximum penalty of six months' imprisonment with or without hard labour. It was almost laughable to represent such a punishment for such an offence as being of a very stringent nature. He knew that the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) was unpopular in Ireland because of the good work he had done there. What was it more than anything else that had made the right hon. Gentleman unpopular? He believed it was the speech he delivered at Tullamore; and the gist and substance of that speech was that he denounced fearlessly, like an honourable and upright man, the cowardly and brutal outrages which had been perpetrated in Ireland. It occurred to him (Mr. Elliot), when he heard hon. Members discuss so calmly and coolly the horrible outrages that had occurred in Ireland, that no other assembly of decent men in England or Scotland, outside the walls of Parliament, would have been prepared to discuss them in so temperate a manner. They had again and again been asked in that House to be conciliatory to the Irish people. That was very good advice. It was perfectly right that they should not feel any resentment towards the Irish people; but he ventured to say that they were carrying Christian feeling rather too far when they were asked to be conciliatory towards criminals and assassins. If the question was one of peace or war between them and the assassins, he would unhesitatingly declare for war. It was said that it was a strong Bill, and he felt that it was; but he believed that the Government were responding, and were not doing one atom more than responding, to the strong and energetic feeling expressed by honest men of all parties throughout the country. The Members on his side of the House who had taken part in the discussion, one after another, had not adequately represented the feeling which prevailed in the country. In Scotland there was a detestation of these outrages, and not only of these outrages and these assassins, but of those who sheltered the assassins. He believed that any assistance given to the men who had perpetrated these brutal outrages would be visited with the detestation of all decent people in the United Kingdom. He had ventured to give utterance to these few words; and, on resuming his seat, he would ask the Government, although he did not think they required any exhortation after the speech of his right hon. Friend the Member for the Border Burghs (Mr. Trevelyan), to persevere with the Bill, and not emasculate it, and not to lend a willing ear to the advice they had received from hon. Members on that side of the House, who certainly spoke with very little authority for the Liberals of the country generally.

Mr. DILLON, said the Bill was described as a Bill for the Prevention of Crime in Ireland. He believed that it would be more correctly described as a Bill for the Promotion of Crime in Ireland. The Preamble contained a false statement, and upon that false statement the rest of the Bill was founded. It was a false statement which had run throughout the whole course of the legislation of this country in endeavouring to deal with crime in Ireland; and any man who desired to understand what the ingenuity of British statesmen had devised for the last 800 years for preventing crime in Ireland—and which they had not yet succeeded in doing—would do well to study the Preamble of this Bill, and inquire whether the statement it contained was true or false. The words of the Preamble were these—

> "Whereas, by reason of the action of secret societies and combinations for illegal purposes in Ireland, the operation of the ordinary law has become insufficient for the repression and prevention of crime, and it is expedient to make further provision for that purpose."

The true way of putting the matter would be this—"Whereas, the ordinary law is too strong, and is too strong unjustly, the minds of the people of Ireland have been set against it, and a kind of combination exists among the people not to aid in carrying out a law which they believe to be unjustly administered against them." What he contended was this, that no law which the ingenuity of man could devise could prevent or put down crime in Ireland until they could get the minds of the Irish people on the side of the law. He must confess that he had listened with astonishment—although it was not the first time that he had been astonished at the attitude taken by English Governments—he had listened with astonishment to the unanimity with which men who called themselves English Radicals and Liberals spoke of the abolition of trial by jury in Ireland as a matter of course. They had heard that day from an influential Member of the Opposition, who might probably be called upon shortly to administer the Act in Ireland, that it was the avowed wish of the landlord class in Ireland, of whom he was the able spokesman in that House, to make this a perpetual law. [Mr. Gibson: No.] He had understood the right hon. and learned Gentleman to complain of making the law a temporary one; and he had further understood him to ask that some provision of a permanent character should be engrafted on the ordinary law of Ireland. What he (Mr. Dillon) had been saying was that it did surprise him to find the extraordinary avidity with which English Radical and Liberal Members accepted the proposal to abolish trial by jury in Ireland. Hitherto he had always supposed that trial by jury had been looked upon as one of the most valuable securities of the freedom of the English people—["Hear, hear!"]—he repeated, of the English people, but not of the Irish people. With regard to the proposed abolition of trial by jury and the establishment of a special tribunal to try these cases, he desired to point out that, in endeavouring to make out a case for this proposal, although the right hon. Gentleman brought forward no arguments whatever in support of his case, the Chief Secretary for Ireland had omitted entirely to state what was the nature of the evidence as to the intimidation of juries in Ireland. The right hon. Gentleman omitted to do so, because he knew that if the matter were inquired into it would be found that no case whatever existed. He (Mr. Dillon) was prepared to admit, and to admit frankly, that acquittals had occurred in Ireland, and that there had been a failure to convict for minor offences with which the sympathies of the people strongly ran, which offences were of the nature of intimidation of a certain character—cases which came within the class generally known in Ireland as "Boycotting." He was prepared to admit that in offences of this character some of the juries had gone against the charge of the Judges and had acquitted the individuals charged; but was it not a well-known fact to everybody that the same thing had occurred over and over again in the course of English history? When a law had become unpopular, one of the means by which the people obtained the repeal of it was to refuse to convict. He could cite cases in which it was well known that English, Scotch, and Welsh juries had given their verdicts right in the teeth of the Judges' charges, because the people would no longer tolerate the law that was being administered. He would admit that in minor cases—and he would even go further and say it was possible that in some important cases—the juries had refused to convict for assaults upon process-servers and others who were engaged in putting the law in force; but he contended that these failures to convict were not the result of intimidation, but the result of popular sympathy and popular feeling against the law which was being administered. The object of this Bill was not to do away with the effects of intimidation, but to take out of the hands of the people the right to try the offenders. He wished to put a question to the right hon. and learned Gentleman the Attorney General for Ireland, and it was this—Had the Irish Government in their possession any evidence regarding the intimidation of jurors in Ireland? A very short time ago, a Member of that House went to him in the Lobby, and, in the course of private conversation, said, "Will you admit that the jurors are so intimidated in Ireland that they are afraid to convict?" Now, he challenged the Attorney General for Ireland, if he had evidence of a single case, or of two or three cases, of the intimidation of a jury or a juror, to lay it on the Table of the House for information. A single instance, or, at any rate, two, would be quite enough to satisfy the House, and would be a strong argument in favour of the Bill, in satisfying the House that there had been a failure of justice through the intimidation of a juryman. He would pass on now to that part of the Bill which specified the offences under the Act. The right hon. Gentleman the Chief Secretary for Ireland said the Bill was directed, not against liberty, but against crime. But the acts which were enumerated as offences against the Act amounted to this, that anybody who said anything which the Lord Lieutenant did not think right was guilty of an offence against the Act. A sub-section of Clause 4 declared that—

> "In this Act the expression 'intimidation' includes any words spoken or act done calculated to put any person in fear of any injury or danger to himself, or to any member of his family, or to any person in his employment, or in fear of any injury to or loss of his property, business, or means of living."

He wondered very much whether under this classification would come a letter which he read in *The Freeman's Journal* six months ago, written by an Irish landlord, calling on the landlords to "Boycott" a certain well-known trader in Sackville Street, because he had dared to express an opinion that the landlords had not done their duty. The man proposed to be "Boycotted" was an Orangeman, but, being a man of an impartial turn of mind, he had turned round and denounced the landlords. But if this Act passed, and intimidation of this kind were sought to be practised, did any man sitting in that House believe that the law would be administered against the landlords of Ireland? On the contrary, they knew perfectly well that the landlords would be left at liberty to do what they always had done, and what they all had perfect liberty to do to-day—namely, to "Boycott" every man who went against them. He had lived in a county in Ireland, and had not only seen traders ruined, but he had seen a bank ruined, and "Boycotted" by a landlord, because the bank manager was not sufficiently civil to him. "Boycotting" had been an engine systematically used by the landlords and their agents. It was a common practice to send the bailiff round an estate, to order the tenants not to deal with certain shops, because the shopkeepers had not been sufficiently respectful to the landlord. He wished to know whether the clause would be enforced against landlords who "Boycotted" traders as it would be against the Irish people generally? Would the Irish landlord be put in the treadmill, if he sent his bailiff round to the tenants with orders that they should not deal with a certain individual, or with a certain bank? These were not suppositious cases, because, in the instance of the bank he had mentioned, he was perfectly acquainted with the fact himself. He was living in the town in which the bank was ruined and driven out of the town because the bank manager had offended the owner of the estate. Turning to the Bill, he thought the worst part of it was the Summary Jurisdiction Clause. It rendered all public action throughout the whole country an utter impossibility. It would be used against the people, and not against the landlords; and the result would be that, so far from strengthening the law in Ireland, it would embitter tenfold the feeling implanted in the breast of every honest man in Ireland that the law was his enemy, and not his friend. If they asked for the real cause of the weakness of the law in Ireland, his reply was that they were to seek it, not in the failure of any statute, but in the general character of the law. This Act, enforced, as he knew it would be enforced, could have no other effect than to confederate the people in silent and secret alliance to defeat the law, because, in every line of it, they saw an attempt to impose on them an extraordinary yoke. The right hon. and learned Member for the University of Dublin (Mr. Gibson) spoke in very feeling terms of the danger to which the Irish Judges would be exposed. Now, could the right hon. and learned Gentleman point to any instance in Irish history in which an Irish Judge had been injured or had had an attack made upon him? [Mr. GIBSON: Yes; Lord Kilwarden.] He was not speaking of the case of Lord Kilwarden, which occurred 100 years ago, in a time of open insurrection. He asked whether there was any case to be found in the history of Ireland since the Union, in which any attempt had been made against an Irish Judge during a time of peace? With respect to the figures quoted by the right hon. Gentleman the new Chief Secretary for Ireland, he had often heard figures quoted in that House, but he had never heard such unsatisfactory statistics as these before. The right hon. Gentleman stated the number of outrages which occurred in the year 1870, and asserted that in consequence of the introduction of the Coercion Bill they decreased from 1870 down to 1875; but he forgot to say that the decrease was coincident with the increase of prosperity in Ireland. From 1870 to 1875, evictions fell off. The country increased enormously in wealth, and emigration fell off also. So greatly did the country increase in wealth that the people almost ceased to leave it. The right hon. Gentleman went on to show that between 1875 and 1880 outrages increased again; but he forgot to state that in 1876 agricultural depression set in, and that evictions increased to an enormous extent. In the year 1878 hunger first appeared in Ireland; and during the three following years large numbers of people were on the brink of starvation, and evictions were going on in such large numbers that they drew from the right hon. Gentleman at the head of Her Majesty's Government the eloquent speech which he was congratulated on delivering about two years ago. Therefore, these figures proved absolutely nothing. Like most figures introduced into the House in regard to Ireland, there was nothing, substantially, in them. It might be, that after the passing of this Bill—if the Government insisted upon passing it, cruel and dangerous as the measure was — it might be, that for some time outrages would decrease, and; no doubt, the right hon. Gentleman the Chief Secretary would get up next year and say, "Our Bill has been a great success." The right hon. Gentleman would, however, forget to tell them that the Arrears of Rent Bill was passed at the same time; and he would forget to say that the decrease of outrage, if there was a decrease of outrage, would be attributable entirely to the Arrears Bill, and not to the Prevention of Crime Bill. If they passed this Bill alone, his (Mr. Dillon's) belief was firm and fixed that outrages would increase in number and much more in atrocity. There was one thing which, horrible as the character of the Bill was, and ruinous as it would be for the future of his country, gave him quite as much anxiety as anything in the Bill itself, and that was the effect the Bill would have on the landlords of Ireland. The landlords of Ireland were gradually coming into a reasonable frame of mind. They were tired of the struggle; and the Motion of the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) in reference to purchase, and the recommendations of the Committee of the House of Lords, proved what he said. The withdrawal of the Motion of the right hon. Gentleman the Member for Westminster in the face of this Coercion Bill proved the danger he had pointed to; and if there was anything wanting to confirm the view he took of the danger, it was the speech of the right hon. and learned Member for the University of Dublin (Mr. Gibson) that night. This Bill gave a promise to the House of another land war in Ireland, because the Irish landlords, with this Bill in their hands, would come forward again with their unreasonable demands. They were already beginning to think that they could go on tyrannizing over the Irish people with the aid of this Coercion Bill. The Government would find that opinion on the Opposition side of the House had been entirely altered with regard to the Purchase Clauses of the Land Act, and the Conservatives would now have succeeded a second time in getting the Liberal Party to do their dirty work. They would make the Government pass the Bill and imprison the Irish Members, as they did last year; and then they would turn round upon the Government, and hold up their hands in pious horror that innocent men should have been kept in prison so long. By-and-bye they would denounce the Government for the horrible character of the measures they had passed, when they wanted the Irish vote again. Having got a Bill, they would see that it was administered vigorously in Ireland. He had heard round him, during the last two nights, constant exclamations to this effect—"It is a very good Bill, but it is in wrong hands." In point of fact, the Government would have incurred all the odium, and by-and-bye the Opposition would do the work. He admitted, and he was not ashamed to admit, that in the face of this Bill, no Land League could exist in Ireland, no public movement could exist in Ireland. He was bound to tell the people so frankly. It was perfectly possible—he might even say probable—that after the Bill had been in operation for a year, the Government would say that they had triumphed and had reduced the people to quietness. But how had they liked the last two years?—because, as sure as they passed this Bill, they would have to do the work all over again; they would have to fight the Land Bill, to fight the Irish landlords, and to spend two years of English time in squabbling over Irish matters, until the House would sicken at the very name of Ireland. [An hon. MEMBER: They are sick of it already.] He heard an hon. Member say they were sick of it already. He believed they were. But would it not have been wiser to speak frankly and truthfully, instead of rushing into fresh coercion—to confess that they had made a mistake? The Coercion Act of last year had not settled the Land Question. He was coming over from Ireland to talk to the House of Commons frankly upon this question, when he was stopped and arrested. They were all now obliged to confess that they had made a mistake; and after two years of wasted time, after a period of disorder which he regretted infinitely more than they did, because it had dishonoured his country, and had not dishonoured theirs—after two years of wasted time, they were now sitting down to commit the same mistake as they did last year, to sow the same seeds of murder in Ireland. It might be that the Bill would keep the country quiet for the next two years; but, at the expiration of that time, they would have to begin again where they began last January; and until the Land Question was fairly fought out, the House of Commons would be obliged to listen, night after night, to the recital of the difficulties and troubles of the Irish people.

MR. T. D. SULLIVAN said, the measure now before the House was the most severe and drastic measure which had been proposed for Ireland, since the date of the Penal Laws. They had often seen in print—and it had been quoted in that House from time to time—a list of the Coercion Acts enacted for Ireland since the date of the Act of Union. Many of them were severe, tyrannical, and repressive; but there was no doubt that this last performance capped them all. In this country, persons who succeeded in competing for prizes were sometimes rewarded with a blue ribbon, sometimes with a red ribbon, and occasionally with a belt, and were called the champions of their profession. The authors of this Bill certainly deserved the belt as the champion coercionists of Ireland. The recent occurrences in Ireland seemed to him and to a great many observers in this country to be a culminating stroke of crime. This last lamentable act of crime so shocked the feeling of Ireland that there was every reason to expect the outburst of horror and indignation which it created would have produced good results in the end. The current of Irish sympathy had commenced to flow in unison with English feeling; and at that moment, when the people of Ireland were taking heart and being of good cheer, just as they were beginning to see the dawn of a brighter day, and the dark clouds were lifting from over the country, the Government stepped in with this cruel enactment, which turned the tide of Irish sentiment again against England, and closed over the heads of the Irish people those dark clouds which were beginning to break and let in the light. It had been said that there existed sympathy with crime in Ireland. He admitted that there had been some degree of sympathy with some forms of crime, but with some forms only; and how this had arisen had been explained in the speech which had been delivered that night by the hon. Member for the Tower Hamlets (Mr. Bryce). The hon. Member told them that sympathy with certain forms of Irish crime was only the result of Irish history; that it was the natural result of the tyranny and oppression which, for long ages, had been practised on the Irish people. Now, that was the plain and palpable truth of the matter. During the period in which the Irish people had been oppressed cruelly and tyrannically, in the name of the law, the name of the law naturally became hateful to them; and those who stood forth against the law won for themselves the sympathy and protection of the Irish people. How could it be otherwise? Against whom did the law strike? The law struck against the Irish priest, against the Irish schoolmaster, against the Irish patriot, against the people of Ireland altogether, and, consequently, the law became odious and hateful in the eyes of the Irish people. This feeling had not yet quite died away in Ireland; and those who in this day struck against the law were regarded as the avengers of the people, and not as their enemies. Law and order were words that would not have their true meaning in Ireland until law and order were made conformable to the feelings of the people, and the requirements of justice in that country. Now, they were told that this severe and stringent enactment would not cause any hurt to innocent people; they were told it would only touch, hurt, alarm, and terrorize the guilty. But that he altogether denied. In the first place, if that statement were true, why should the Bill not be made to operate perpetually? And, again, if it were true with regard to Ireland, it would also be true with regard to England, and the Bill should by consequence be applied to England also. He said that delusive idea which was put forward in defence of the Bill was disposed of by the argument that if it would not hurt innocent people in Ireland, the same Code would not hurt them in England; and yet no such measure was going to be introduced there. The fact was, that the Bill, when it passed into law, would terrorize and torture innocent persons in Ireland, and it was in vain to say it would not. They had listened to a somewhat similar story when the Coercion Act of last year was passing through the House of Commons, when they were told it was to touch only the village ruffians and midnight marauders. These men, it was said, were well known to the police, the hand of justice would be laid upon them as soon as the Act was passed, and no well-behaved man had anything to fear from the enactment. But how different from this was the actual effect of the Coercion Act. They found by experience that it was the very reverse of what it was stated it would be. Was it not notorious that the real criminals had escaped? They had never been arrested —the village ruffians had never been imprisoned at all under the Coercion Act; but it was known too well that perfectly innocent men had been captured and thrown into prison under cover of a measure which they were told was not to interfere with innocent people, but was intended to punish the guilty only. Now, with regard to the measure before the House. Notwithstanding the speech of the Chief Secretary to the Lord Lieutenant to which they had just listened, when the Bill became law—when it passed from the House of Commons into the hands of Irish Judges and magistrates, it would reveal itself in its true colours. It would appear then as nothing less than an engine of tyranny and oppression; and he could assure Her Majesty's Government that if it were possible for the House of Commons to be deceived by the closing words of the Chief Secretary for Ireland, the Irish Members could not be deceived by them, because they knew by bitter experience how these things were worked in Ireland. He would detain the House for a few moments, while he referred to some of the provisions of the Bill. They were told in the first sentence that it was a Bill for the Prevention of Crime in Ireland. But, as it had been already styled by his hon. Friend the Member for Tipperary (Mr. Dillon), he preferred to call it—and he would undertake to prove the truth of their views on the matter—a Bill for the Extension of Crime in Ireland. Coming to the Preamble, he found it ran as follows:—

> "Whereas, by reason of the action of secret societies and combinations for illegal purposes in Ireland, the operation of the ordinary law has become insufficient for the repression and prevention of crime, and it is expedient to make further provision for that purpose: Be it therefore enacted," &c.

Well; but did not the Irish Members repeatedly tell the Government that they would have to deal with secret societies when they passed the Coercion Act? It was within the recollection of the House that this argument had been, over and over again, addressed to them by hon. Members on those Benches—"Suppress open and legitimate agitation in Ireland, and," they said, "as surely as the sun shines, you will have its place taken by secret societies." And, accordingly, in the very first line of the Preamble reference was made to the recrudescence of secret societies in Ireland. Then the Preamble spoke of the ordinary law being insufficient for the repression and prevention of crime. The people of Ireland had been subject, not to the ordinary law, but to extraordinary law. The Government had the Coercion Act at their disposal; but they made no reference to that in the Preamble of the Bill. That Act was passed on the allegation and assurance of the Government that it was to do this very work of suppressing crime and outrage in Ireland. How, then, could the Government come to that House and ask to be believed, when they used the same language with regard to this measure as they had used in the case of the Coercion Act? He could understand how a dishonest man sometimes succeeded in passing a "flash" note to a tradesman over his counter. He might do this once; but it would be very surprising to him if that tradesman allowed himself to be imposed upon a second time by the same or any other individual who presented a "flash" note. And so with regard to this Bill. The House ought not to be deceived again by the statements of right hon. Gentlemen opposite. Looking into the measure a little further, he found that it dealt with the crime of intimidation; and, looking at its provisions, he contended that no man in Ireland would be safe in speaking, writing, printing, or publishing a single sentence of hostile criticism upon public or private men, if the measure passed into law. The words of the clause were—

> "In this Act the expression 'intimidation' includes any word spoken or act done calculated to put any person in fear of any injury or danger to himself, or to any member of his family, or to any person in his employment, or in fear of any injury to or loss of his property, business, or means of living."

He believed that to be a total suppression of public criticism in Ireland upon the acts of a large number of men; because, if hostile criticism of their conduct would not put them in bodily fear, yet it could be very easily alleged that it might cause them loss of property, business, or means of living. Therefore, he said that, under the terms of this clause, criticism of the public conduct of men who happened to be engaged in any line of business, or were in the position of landlords, would henceforth be very dangerous in Ireland. Then, there was the crime of aggravated violence against the person, which was one of the things to be dealt with by this measure. Now, crimes of that character were very common in other parts of the Kingdom than Ireland; he wondered that no special measure was brought in for their prevention in England, where, for instance, cases of violence against men, women, and children were of daily and hourly occurrence. They were so numerous as to attract the attention of the Judges; and in the time of the late Government a Blue Book was published concerning them, which contained a large mass of evidence given by Chief Constables and others throughout the country. But, he asked, was there no law already in existence for dealing with these cases of aggravated violence against the person? Undoubtedly there was, and wherever evidence was to be had of the guilt of the offenders they could be punished; but evidence was indispensable, and must always be had, otherwise they could not be dealt with at all. They could not punish people on suspicion. The fact was that his observations were intended to bring to the minds of the House and the Government that these measures were more needed in England than Ireland; and he contended that the crimes in question ought not to have been entered in this Bill at all, inasmuch as they could be already dealt with under the ordinary law. The same argument applied to assaults "on any constable, bailiff, process-server, or other minister of the law," which, by sub-section (*d*) of Clause 5, were to be punished as offences against this Act. But these were offences already, and were always punished—if they were proved to have been committed—and, therefore, he contended that they should not have been brought in here. He came now to a still more dangerous portion of the Bill, which contained this clause—

> "Every person who—(*a*) is a member of an unlawful association, as defined by this Act; or (*b*) solicits or receives or pays any money for the use of an unlawful association, as defined by this Act; or (*c*) uses any badge or ticket indicating connection with an unlawful association, as defined by this Act; or (*d*) knowingly takes part in the proceedings of an unlawful association, as defined by this Act, or of any meeting thereof, or of any meeting for the purpose of promoting the purposes of such unlawful association, or any of those purposes, shall be guilty of an offence against this Act."

Now, considering what they had heard in Ireland from the Judges, magistrates, and other people connected with the administration of the law, he could not see how any political association whatever would fail to come within the purview of the Act. It would be impossible for them to escape from it, and the result must be that political associations in Ireland would cease to exist. Then, by Clause 8 (1)—

> "In a proclaimed district, if a person is out of his place of abode at any time after one hour later than sunset and before sunrise under suspicious circumstances, any constable may arrest that person and bring him forthwith before a justice of the peace, and such justice, after inquiry into the circumstances of the case, may either discharge him or take the necessary steps, by committing him to prison or taking bail, to bring him before a court of summary jurisdiction acting under this Act, and if such person, on appearing before a court of summary jurisdiction acting under this Act, fails to satisfy the court that he was out of his place of abode upon some lawful occasion or business, he shall be guilty of an offence against this Act."

Now, if this clause were to be put in force, it appeared to him it would be necessary that people who wanted to travel from one part of the country to another should be furnished with passports or safe-conducts, in order that they might do so without molestation. He did not see how labourers, who travelled about the country in quest of employment, could possibly escape arrest and detention under this measure. And what were the suspicious circumstances that would subject these men to arrest? These were not set forth in the clause; but hon. Members knew well that in Ireland the suspicions of magistrates, constables, and such persons were easily aroused, and he felt it would be but a poor defence against the penalty of arrest, detention, and imprisonment for a man to say he was travelling in search of work. Therefore, he suggested to the Government the propriety of issuing some sort of safe-conduct in the shape of a ticket, which a man travelling under the circumstances he had described might stick in his hat or pin to his coat, and which would carry him safely through the country in quest of his honest business. He passed on to Clause 10, having relation to the Press, which was as follows:—

> "(1) Where *after the passing of this Act* any newspaper wherever printed is circulated or attempted to be circulated in Ireland, and any copy of such newspaper appears to the Lord Lieutenant to contain matter inciting to the commission of treason or of any act of violence or intimidation, the Lord Lieutenant may order that all copies of such newspapers containing that matter shall, when found in Ireland, be forfeited to Her Majesty; and any constable duly authorized by the Lord Lieutenant may seize the same;"

and so on through the remaining sub-sections of the clause. He said that if, after the passing of this Bill in its present form, newspapers containing political articles continued to exist in Ireland, they would exist simply at the mercy of the Lord Lieutenant. That was a condition of slavery the Irish Press might have to put up with; but, decidedly, they would be sensible of it, and would deal with the situation as best they could. What safety was there for the Press of Ireland? Any political article might move the mind of the Lord Lieutenant, according to his own temper at the time, or to the degree of pressure put upon him by constables, magistrates, and others, to believe that it was an incitement to treason or acts of violence and intimidation; and if he could find no proof in the paper of any such incitement, he had only to have recourse to the patent process, discovered lately by the Attorney General for Ireland, of reading "between the lines." So much for the future of Irish newspapers under this Bill. But he had something to say about English publications, and would trouble the House with a little specimen of the style of writing tolerated in England. In quoting a few passages to the House, he would not ask hon. Members to read between the lines, but simply to take the text as he read it to them. He held in his hand a pamphlet published by Mr. Chatterton, of 58, Cromer Street, Gray's Inn Road, W.C., to be had of all news agents, some portions of which were so gross and so indecent, and had, moreover, reference to the highest personages of the Realm, that he supposed the House would not only excuse, but commend him for not reading them. He passed over the reference to Her Most Gracious Majesty, as also that made to His Royal Highness the Prince of Wales; after which, the paragraph went on to say—

> "You Duke of Edinburgh; you Duke of Connaught; you Prince Leopold; you Princesses Royal Helena, Louise, and Beatrice; you"—

But here he must really omit a portion of the text—

> "who live on the labour of a suffering people; and you haughty aristocrats; you the bloated capitalists—the land and moneyed thieves of to-day—think, we say, before it is too late and repent of your misdeeds; disgorge the wealth you have only got by murder, exaction, robbery, and rapine of the most vile form; tremble in the knowledge that the day of retribution is fast approaching, when an oppressed nation will rise in the majesty and grandeur of their might, and sweep you, the curse and pest of every age, off the face of the earth, like so many rotten vermin as you are."

Hon. Members would bear in mind that this was a piece of English literature. The writer went on to say—

> "Oh, yes; sweep you off the earth, for only your extinction can cure our misery; but not by mad insensate action of one woman or man killing a King or a Queen, and becoming the victim of their own folly. No, you royal, aristocratic, and land and moneyed murderers; no, you robbers, investors, and violaters of all human law. Not so; but, by the just and righteous vengeance of an insulted, outraged people—slaying you, and striding over your rotten carcases as a justifiable reparation to an outraged nation."

He should trouble the House with only a few more lines from this abominable English publication, which continued as follows:—

> "And now, sister and brother industrialists, what is the remedy for such a state of things? Why, a war to the knife against the governing classes of to-day. War to your Queen of England; drag her from the Throne she fraudulently usurps from the people; stamp her out—exterminate the monarchical vermin one and all. War to those legalized thieves and murderers—your Lords and Commons. Clear your Parliamentary stable of the dry rot that is within—stamp them out. . . . . Oh, yes, workers of to-day, there is nothing left for you but to steel your nerves, dry your powder, sharpen your weapons, tighten your grasp, and drive the bright flashing steel clean through the quivering heart of your blood-stained foe."

That was not taken from an Irish or an Irish-American newspaper, but it was taken from a pamphlet published in the City of London, and bearing the imprint of the printer. It was not against such papers that this coercive legislation was directed, but it was against Irish newspapers, which advocated the cause of Irish liberty and not assassination. Papers which had no sympathy with crime and outrage, but which advocated openly the cause of Irish independence, were to be exposed to confiscation at the will of the Lord Lieutenant, inspired as he was by Dublin Castle, and by the howling members of the landlord class from one end of the land to the other. They had heard Her Majesty's Government advised to carry on the Arrears Bill side by side with this terrible measure of coercion. No concession that could possibly be made by the House of Commons to the tenants of Ireland, or to any class in the country, would be taken by the Irish Members, and bartered against the liberties of the Irish people. The present measure was one which rendered political life in Ireland impossible; it was a measure which rendered Ireland from end to end one large prison for men who had any sympathy with the cause of Irish freedom and the well-being of their country. He hoped his Colleagues would resist this tyrannical and cruel and destructive enactment to the last stage and to the best of their ability. He joined in the declarations which had been made from these Benches; he joined in the belief that this measure would not promote law and order. There was a kind of peace known as the "Peace of Warsaw." If they depopulated a country, if they made it a howling wilderness, they would get rid of crime and outrage; they would, no doubt, suppress all public action; but surely the last stage of the country would be worse than the first. This was not the way to promote peace and order. The right way was to adopt a policy of conciliation and justice when the Irish people were in a mood to co-operate with the authorities. When the Irish people were told that coercion was about to be withdrawn and abandoned, and that a better and a kindlier order of things was about to prevail, he asked did they not show that they reciprocated those kindly feelings? Was not the same feeling manifested throughout the length and breadth of Ireland? The brutal and detestable resources of coercion had been resorted to again; but Ireland would live through the battle; Ireland would fight it out and come out of it victorious, as she had done out of many hundreds of a like nature in her history.

Mr. SEXTON moved that the debate be now adjourned.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Sexton.*)

Mr. GLADSTONE said, he would assent to the Motion, but hoped that the debate would close at the Morning Sitting to-morrow.

Motion *agreed to*.

Debate *adjourned* till *To-morrow*, at Two of the clock.

ARKLOW HARBOUR BILL.—[Bill 137.]

(*Mr. Herbert Gladstone, Lord Frederick Cavendish.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Herbert Gladstone.*)

Mr. DILLWYN said, the Bill came on rather unexpectedly the other night, and he was not present at the time. He did not wish to conclude with an obstructive Motion; but he rose to object to the Bill being read a third time until some explanation was given with respect to the grants to be made for the harbour. He noticed that £15,000 was to be given for the construction of the harbour. That was a much larger sum than was usually given for fishing harbours, and he should like to hear on what principle grants were given to harbours in general. £15,000 was to be given, in the first instance, as a free grant, and then £20,000 was to be given by way of loan. He very much doubted whether £35,000 would complete or be sufficient for the maintenance of the harbour; in fact, the Bill itself provided that £35,000 only was to be given at first. It was contemplated that a further sum of money might be given if £35,000 was not found sufficient. He did not think the district would be required to provide the further sum; if it was not, the duty would devolve upon the taxpayers of this country. On looking over the Papers, including the Report of the Engineers, which were lent to him by his hon. Friend in charge of the Bill, he was not satisfied as to the stability of the work proposed. For instance, it was shown in that Report that there had been silting up in a few days which it took six months to remedy. As he had previously said, he would not obstruct the Bill; his only reason for interposing between the House and the third reading was to obtain some explanation of the principles upon which grants were given to harbours. He also wanted to obtain some distinct pledge that when the £15,000 was given by way of gift, and the £20,000 was given upon the faith and security of the baronies in the neighbourhood, as was supposed to be the case, no further sum would be advanced until there was an undertaking on the part of the neighbouring baronies that they would pay the interest on the sum advanced. He hoped he would receive some assurance from the Government on this; otherwise, he should think it his duty to take the opinion of the House upon the question. He had been in some degree stimulated to take this course by the taunt indulged in by the Chancellor of the Exchequer, in moving the Budget of the year. The right hon. Gentleman taunted Liberal Members with not looking more carefully after the Expenditure of the country, and now the Government were advocating an expenditure which, on the face of it, seemed excessive; £35,000 appeared to be an extravagant sum to give for what was only a second or third-rate fishing station, and he would now move that the Bill be read a third time on this day six months. He would not, however, press the Amendment to a division, if he received any satisfactory assurance that no further sum should be advanced until a binding agreement was made with the baronies of the neighbourhood.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Dillwyn.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. R. W. DUFF said, he would also like to know on what principle this money was granted? There was no principle whatever contained in this Bill; they were simply asked to vote money from the Imperial Funds for improving an Irish harbour. If the Government would make a grant in accordance with the provisions of previous Acts —namely, at a low rate of interest, he would be glad to support them; but if they were about to advance money for an Irish harbour on a totally different footing, he would like to know why grants had been refused for harbours in Scotland? Claims had been made in the case of Scotch harbours; and, although the security was the very best, grants had been refused. He agreed with the remarks of the hon. Member for Swansea (Mr. Dillwyn), and hoped that, before they assented to the third reading, they would have some explanation of the policy the Government intended to adopt in this instance.

MR. COURTNEY said, he approached the subject, as he approached all similar questions, with the greatest possible jealousy, because he looked with great anxiety at the application of a principle of applying public money in aid of local works of any kind. He looked upon the present as a most exceptional and special case, and, therefore, he would not do what he might otherwise be tempted to do—indulge in an examination of the relative circumstances of England, Scotland, and Ireland, in order to show what course ought to be adopted in respect of each. With reference to the application made by the hon. Member for Swansea (Mr. Dillwyn), he would call attention to the 3rd clause of the Bill which said—

> "If the Commissioners of Her Majesty's Treasury (in this Act referred to as the Treasury) are satisfied with the security offered by the justices and associated cesspayers of the three baronies, or of any of them at such meeting, they may authorize the Board to carry this Act into effect, and to advance out of the moneys placed in their hands by Parliament the sum of fifteen thousand pounds by way of grant, and the sum of twenty thousand pounds by way of loan, and may by order declare the said baronies, or some or one of them, to be charged with the payment of the said sum of twenty thousand pounds, and interest."

He would give the assurance that, until the Commissioners of the Treasury were satisfied with the security, the money should not be advanced.

MR. M'COAN said, he listened to the hon. Member for Swansea (Mr. Dillwyn) with some surprise, seeing that the condition imposed by Clause 3, to which the hon. Gentleman the Financial Secretary to the Treasury had just called attention, completely met the objection he had stated. Clause 3 made it absolutely necessary that the loan to be made should be fully guaranteed in advance by the baronies. That being so, the difficulty of the hon. Member for Swansea was completely met. Apart from that, the hon. Gentleman seemed to have a rather imperfect notion of the strength of the claim of Arklow upon the generous consideration of the House. The hon. Member had said that Arklow was only a second or third-rate fishing station; but, in point of fact, it was one of the chief fishing harbours on the Eastern Coast of Ireland. That it was an important fishing-ground was proved by the fact that it was largely frequented by English boats, who went there to poach on waters which did not belong to them. The fishing industry of the port was thus seriously interfered with by the hon. Gentleman's own constituents, the fishermen of Swansea. Arklow had a population of nearly 5,000 persons, most of whom depended upon the fishing industry for their livelihood. In recent years, however, these poor people had been kept down to almost starvation point by the condition of the harbour. The Engineers of the Board of Works had carefully examined the state of the work, and had reported that it could be effectively re-constructed for the estimated sum of £30,000. If there should be any extra expenditure beyond that, the hon. Member for Swansea (Mr. Dillwyn) would see from the Bill that sufficient security was to be given for it by the ratepayers of Arklow. The Treasury, therefore, would have ample security for any further sum they might be required to advance. It had been said that there was something of jobbery in this matter; but in his experience he had never come across a case which was freer from any suspicion of the kind. £5,000 were to be paid to the Mining Company for the surrender of their rights, a sum which, under the circumstances, was very moderate. They had spent some £20,000 on the harbour; but the works had been swept away, and the mouth of the port closed up. Still, they had these rights; and, although they were not making sixpence a-year from them, they could not be expected to surrender them without some compensation. It had now been agreed that they should receive this sum of £5,000, to which the Government had added a further loan of £15,000 on ample baronial security, and a free grant of a like amount. He, therefore, thought the House should accept the Bill.

Mr. DILLWYN said, he was satisfied with the assurance of the hon. Member.

Mr. ARTHUR PEASE said, he was glad the hon. Member had drawn attention to this matter, because it showed a clear partiality towards Irish harbours. The only explanation given was that the harbour was in a bad state, and the fishing industry was depressed. There were many harbours in a bad state, and the fishing industry depressed, and in regard to which a claim might be made for Government help, because they were harbours which were approved of by the Government, and might be made valuable for the protection of life, as well as for the encouragement of fishing industries. He hoped that if the Bill was read a third time, some Members who were connected with English harbours might be able to look upon it as a precedent.

Mr. ARTHUR O'CONNOR said, it might be imagined, from what the hon. Member had said, that Ireland was exceptionally favoured in the matter of harbours. But, as compared with English and Scotch harbours, they occupied by no means a favourable position; and the Prime Minister was perfectly right in saying that when the Liberals were in Office they were singularly remiss in considering the Estimates, otherwise they would have observed that year after year charges appeared on the English Estimates which were indefensible. He invited the attention of the hon. Member for Swansea (Mr. Dillwyn) to the considerable sum voted every year for Harwich Harbour to enable the same sum to be paid back to the Government. The hon. Member for Banff (Mr. R. W. Duff), who was so susceptible as to the amount granted to a harbour which was in a bad state, was oblivious of the fact that some time ago a considerable grant was made to some harbours in Scotland; and then he had no difficulty as to the principle of such grants. He would not ask why the Government granted so much public aid to the Scotch harbours; but when those grants were challenged by English Members, they were defended by Irish Members.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read the third time, and *passed.*

COUNTY COURTS (IRELAND) BILL.

(*Mr. Findlater, Mr. Givan, Mr. Patrick Smyth, Mr. Thomas Dickson.*)

[BILL 18.] COMMITTEE.

[*Progress 15th May.*]

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 5, inclusive, *agreed to,* with Amendments.

Mr. HEALY said, he had now a new clause to propose. At the present time, if a County Court Judge and a jury gave a decision, and that decision was appealed against, the appeal went before a Judge of Assize without a jury; and his proposal was that in such cases there should be a jury in the same way as in the County Court. The object of his clause was to rectify what he thought was a mistake in the original framing of the Act; and he proposed that, upon an appeal, the plaintiff or the defendant should have a right to demand a jury. He was aware that Judges had not time to try these cases with a jury; but that consideration ought not to stand in the way, for justice must be done, and it was well known that Irish Judges had much less to do than English Judges. Irish Judges were overpaid and underworked. His proposal, he believed, would only be carrying out the original intentions of the Government.

New Clause—

(Extension of section 100 of Civil Bill Courts (Ireland) Act, 1851, to appeals.)

"On any appeal from the Civil Bill Court to the Judge of Assize in any action or proceeding to which the provisions of the one hundredth section of 'The Civil Bill Courts (Ireland) Act, 1851,' are applicable, the provisions of said section shall apply to such proceedings on appeal in the same manner in all respects as in the Civil Bill Court,"—(*Mr. Healy,*)

—*brought up,* and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he was unable to accept this clause. The object of the Bill was to facilitate and make less expensive and more ready the ordinary appeal to a Judge of Assize. The Bill, in other respects, enlarged the equitable power possessed by the Court, and, so far as concerned the appeal to a Judge of Assize, the Civil Bill Courts Act had been in operation 30 years, and there had been no complaints. The jury that tried a case in a Civil Bill Court was not an ordinary jury, but an exceptional one—it was not a jury of 12, but of six, and could only be obtained by a party to the cause, when the demand exceeded £20. On appeal, the Judge of Assize was not excluded from having a jury. Where a Chairman heard a cause of action under £20 in value, he was entitled, if he thought proper, to have a jury to assist him, and where the Judge heard an appeal against that decision, he was entitled to have a jury, if he thought fit. Accordingly, it was provided that if any Chairman or Judge of Assize should think it proper to have any fact, or facts, which were controverted in any case before him tried by a jury, in such a case a jury of not less than three, or more than 12, could be summoned. That practice had been found to work well for 30 years, and he thought it should not be interfered with.

MR. HEALY said, he respectfully disputed the statement of the right hon. and learned Gentleman that this practice had been found to work well. He (Mr. Healy) thought it had worked anything but well. At the last Waterford Assizes a man brought an action against a landlord for assault, and got a verdict for £50; but, on appeal before Mr. Justice Fitzgibbon, because the plaintiff was a poor tenant farmer, and the defendant a magistrate, the amount was reduced from £50 to £2. What he (Mr. Healy) and his Friends desired was that these particular cases should be taken out of the Judges' hands—that they should no longer have power to cut down a verdict given in a fair way by a jury. At present, in Ireland, these things, instead of being decided by a jury, were decided by a Judge; and that, he thought, was a state of things which ought not to exist. He had expected to hear from the Attorney General for Ireland that an analogous state of things existed in England; but he had not heard it. He must press this point. He was afraid there might be a suspicion against the Judges that they would be likely to give decisions on political grounds; and surely the Government must be anxious to hold the Judiciary of Ireland clear from such a suspicion.

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER) said, he could not but think it much to be regretted that, in a discussion of this kind—on a mere matter of law—aspersions on the character of the Judges should now be almost the rule in this House. The House was not in a position to pronounce any opinion whatever on the merits of a case that he presumed the hon. Member (Mr. Healy) had seen reported in the newspapers, and that, probably, no other Member had seen or heard or knew anything about. It was most inconvenient that charges should be made in this way, and particularly charges of this sort, accompanied by the statement, twice repeated, that the learned and upright Judge who had decided the case had decided it erroneously, because the plaintiff happened to be a rich man and a magistrate, and the defendant a poor tenant farmer. He (the Solicitor General for Ireland) would take upon himself to say that there was not a Judge in the Three Kingdoms who would be guilty of such a thing. Mr. Justice Fitzgibbon was known to many of them; and it was unnecessary to say that that gentleman would be utterly incapable of the conduct referred to. If any leaning was ever shown in any of the tribunals of the land, it certainly was not on the side of the wealthy and those in power, as against the poor and powerless—he meant if anything ever turned on the special facts of a case that would seem to indicate a leaning. He himself had had some little experience of the working of the Civil Bill Code and the Civil Bill Courts; and he was bound to say that of all the branches of the judicial system in Ireland there was none which had not only worked so well, but met with such unanimous approval on the part of the public, and especially on the part of the poorer suitors, for whom that appellate jurisdiction had been established. Every Judge he was acquainted with regarded it as an important part of his judicial functions to hear these appeals, and that the poor suitor should feel that justice had been done. Special bearing was given to these cases; and the Judges were most anxious that unsuccessful suitors should go away feeling that, even though defeated, they had only lost their case after a full and careful and satisfactory investigation. He had never heard any complaint of the working of the system; on the contrary, he had always understood that it worked satisfactorily. If a Judge saw fit to have a jury, he could have one; and, in the absence of any reason to the contrary, it would be a great pity to make any change in the present arrangement.

Mr. GIVAN said, it was in the discretion of a Judge whether he should have a jury. He remembered the case in reference to which it was alleged that injustice had been done. Mr. Justice Fitzgibbon had heard the case very carefully, and had assessed the damages at a nominal sum, in accordance with the justice of the case, as everyone who was aware of the facts was aware at the time. He (Mr. Givan) had had considerable experience of the working of the present Law of Appeal; and he must say that nothing could be more satisfactory than the manner in which appeals had been heard by the Judges of Assize. Where cases had originally been heard by juries, and where counsel on both sides agreed to it, he had not known a case where the Judge had refused to empanel a jury. The general opinion was, that inasmuch as the appeal was taken, in most cases, on a question of law, a Judge, sitting without a jury, was the very best tribunal that could be resorted to.

Mr. LEAMY said, he should support his hon. Friend (Mr. Healy), if he went to a division, because he thought it only fair that cases of this kind should be tried by a Judge and jury.

Mr. HEALY said, he did not think there would be any use in keeping the House up by pushing this matter to a division. With regard, however, to what had been said by the Solicitor General, he would remind him that he had not mentioned a specific case until it had been said that the clause had worked well. It might have been thought that he could not mention a case where it had worked badly; therefore, as he did not wish to keep the Committee in the dark, he made the statement which was complained of. It was all very well for hon. Members sitting on the Official Benches to object to censure of the Irish Judges; but he would remind those hon. Members that everyone did not share their opinion of the character of the Irish Bench. To his mind, those hon. Members belonged themselves to what he might call the official class or "ring," and they should, therefore, be the last to eulogize a system that stunk in the nostrils of the Irish people. The Bench in Ireland was a portion of the bad system of English government. Men were chosen to the Bench, not because of their legal knowledge or fitness, but because of the assistance they gave England in doing England's work.

Motion and Clause, by leave, *withdrawn.*

Mr. FINDLATER said, he wished to move the following Clauses:—

(Extension of existing jurisdiction of County Courts under Clause 33 of 40 and 41 Vic. c. 56.)

"In addition to the jurisdiction now possessed by the several Civil Bill Courts in Ireland, the said courts shall have and exercise all the power and authority of the High Court of Chancery in the suits and matters hereinafter mentioned, that is to say, where the subject thereof shall not exceed in amount or value, so far as it consists of personalty of five hundred pounds, and so far as it consists of lands, shall not exceed the annual value of thirty pounds (that is to say):

(a.) In suits by executors or administrators for the administration of assets;

(b.) In suits for the setting aside, cancelling, or reforming any deed, agreement, assurance, or conveyance of any property on the ground of fraud or mistake."

Clause *brought up*, and read the first time.

Motion made, and Question, "That the said Clause be now read a second time," put, and *agreed to.*

Clause *agreed to*, and *added* to the Bill.

MR. FINDLATER begged to move the following Clause:—

(Appeals under jurisdiction conferred by foregoing section.)

"Every order or adjudication made under the jurisdiction conferred by the foregoing section of this Act shall be subject to the like appeal and in the same manner as is provided by Part II. of 'The County Courts and Officers (Ireland) Act, 1877,' and nothing in this Act shall be deemed to include appeals brought under Part II. of the said Act."

Clause *brought up*, and read the first time.

Motion made, and Question, "That the said Clause be now read a second time," put, and *agreed to.*

Clause *agreed to*, and *added* to the Bill.

MR. FINDLATER moved the following Amendment to the Schedule:—

"Place the words 'Division of,' and 'County of,' to the left of the words 'County Court,' instead of in their present position, and add the following direction: 'To the Clerk of the Peace, The (Plaintiff or Defendant, as the case may be,) and his Solicitor,' at the foot of the Notice of Appeal to the left."

Amendment *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Monday* next, and to be *printed.* [Bill 169.]

METROPOLIS MANAGEMENT AND BUILDING ACTS AMENDMENT BILL.

(*Sir James M'Garel-Hogg, Admiral Sir John Hay, Sir Andrew Lusk.*)

[BILL 107.] COMMITTEE.

[*Progress 12th May.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 9 (Board may annex and enforce conditions as to space to be left open where building is erected beyond the general or regular line of building).

MR. BOORD said, he was sorry to have to object to the clause. On Friday last an Amendment was moved to put in "subject to compensation." That Amendment was rejected; and an hon. Member, whom he did not now see in his place, had moved the rejection of the clause in consequence. He (Mr. Boord) should do the same on this occasion, and, if he got any support, should press the matter to a division. If it were necessary to repeat the objections to the clause, he would say that it would enable the Metropolitan Board of Works to fix any conditions they pleased to an infraction of the general line of buildings—that was to say, in the suburbs, where there was a row of houses with gardens in front, the Metropolitan Board of Works might allow one or more householders or freeholders to build on part of their forecourt, on any conditions they (the Metropolitan Board of Works) might choose to assent to. Those conditions might possibly be the giving of a fourth part of the freehold for the use of the public. What he (Mr. Boord) said was that if a fourth part of the freehold was taken in this way, it should be done subject to compensation; because, if no compensation was provided in the Bill, it would be, practically, a confiscation of the freeholders' property. In order that there might be no confiscation of property, he wished to see the clause rejected.

SIR GABRIEL GOLDNEY said, he rose to support the views of the hon. Member for Greenwich (Mr. Boord), and to express his desire to know what ground the Metropolitan Board of Works had for making this claim. This proposition was put forward in 1862—namely, that the Metropolitan Board of Works should have the power to decide whether there should be an encroachment upon the line of frontage; and it was proposed that they should not take land except by agreement. This Bill, however, would allow the Metropolitan Board to take land without agreement; and, under it, the surveyor to the Board was to be the authority to decide the merits of a case. Powers were now sought which had been refused on a previous occasion, the Home Secretary at the time having expressed the opinion that the Vestries were the proper authorities to interpose where interposition between an owner of property and his encroachment upon the line of frontage was necessary. He had a right to know why the Metropolitan Board distrusted the Vestries, and were not content to leave in the hands of those bodies the powers they were now seeking for themselves. The Committee should trust to the honour of the Vestries. In his opinion, the matter stood better as it was, unless the Chairman of the Metropolitan Board of Works could show that the interests of the public were not safe in the hands of the Vestries.

Sir JAMES M'GAREL-HOGG said, that if the hon. Member had taken the trouble to be in his place the other evening he would have gathered some information on this matter. He (Sir James M'Garel-Hogg) was sorry to have to weary the Committee by repeating what he had said half-a-dozen times over in giving the reasons the Metropolitan Board had for asking Parliament to give them further powers. His hon. Friend was surely aware that people could not build on their forecourts without making certain promises to the Metropolitan Board of Works. Individuals built on those forecourts, however, and did what was of advantage to themselves and detrimental to the public, without giving anything to the public in return. What the Metropolitan Board now asked was, that when these conditions were entered into, those who made the promises should be asked to fulfil them—what they asked was, that those who said they would do certain things should be compelled to do those things.

Mr. BOORD said, he was present when this clause was discussed on a previous occasion. He had heard the hon. Baronet's explanations, and did not consider them satisfactory, and that was the reason he was now renewing his objection to the clause. The fact was that the Metropolitan Board had sought to impose new conditions, and the public had, in many cases, refused to submit to them. Several cases had been granted by the Metropolitan Police Magistrates for the decision of the Superior Courts; and, pending the decision of those Courts, the Metropolitan Board came to that House and endeavoured, in the small hours of the morning, to take powers which at present they did not possess.

Mr. HIBBERT said, he did not agree that the Bill was to take the land of the freeholders. So far as he understood it, nothing would be done by the Metropolitan Board unless the freeholders encroached upon the line of frontage; no damage could be done the freeholder unless he wished to get some benefit by building on the line. The Metropolitan Board of Works were perfectly entitled to ask that the line should not be broken without some of the land being given to the public. He did not think this was a question for compensation, and should certainly support the clause as it stood.

Sir GABRIEL GOLDNEY said, the Vestry was at present the authority, the Act of 1862 requiring that the Vestry should give its consent to the line being broken. This Bill sought to give the Metropolitan Board concurrent power with the Vestries; and it would only be fair that the Board should give the Committee some reason why they asked for this power.

Sir JAMES M'GAREL-HOGG said, his hon. Friend had evidently not heard the discussions which had taken place on this subject. He was mixing up one clause with another; and what he was referring to had really nothing to do with the question before the Committee.

Mr. WARTON said the conduct of the Parliamentary Secretary to the Metropolitan Board of Works (Sir James M'Garel-Hogg) was a specimen of the spirit in which the Board intended to discharge its functions, and override the wishes of the public. He sympathized with the hon. Baronet, who believed that everything was good but being a lawyer. The hon. Baronet spoke of "breaking the line" as though the line were a fixed matter that anyone could understand; but the objection he (Mr. Warton) took was this—that "the line" reposed in the bosom of the architect of the Board. The question was really a difficult one to decide, when one found that there were two lines on one side of a street, and the Board's architect could arbitrarily choose which he would term "the line." He objected to giving this power to the architect of the Metropolitan Board of Works, who might make terms with people under certain circumstances. Any interference with the line might change the whole character of the street. Houses were built with forecourts in front, and it was sometimes very hard to tell which was the line. It was very hard that a man could not make use of his land to his own advantage without the exercise of this arbitrary power on the part of the Metropolitan Board of Works. He protested against the hon. Baronet getting up in the spirit he had done, and declaring, when hon. Members had risen to speak, that they knew nothing at all about the question. It had made him (Mr. Warton) tremble to think that they would be exposed to such arbitrary conduct as this. If the clause went to a division he should vote against it.

Clause *agreed to*, and *ordered* to stand part of the Bill.

Clause 10 (Power of Board to exercise powers of vestries and district boards under s. 75 of 25 & 26 Vict., c. 102, with respect to buildings, &c., erected beyond general line of buildings).

MR. BOORD said, this was the last clause he intended to dispute. If he had a strong objection to the last clause, he had a still stronger one to this. It was a very simple matter. The clause proposed to confer powers on the Board that they did not at present possess. The powers detailed in the section were already possessed by District Boards and Vestries under the Act of 1862; and now the Metropolitan Board of Works, not content with the powers given to District Boards and Vestries in 1862, wished to have similar powers conferred on themselves by Parliament. In 1862 he (Mr. Boord) had not the honour of a seat in the House; but he believed at that period the question was discussed whether those powers should be conferred on the Metropolitan Board of Works and the Vestries and the District Boards, and it was decided that the power should be given only to the District Boards and Vestries—that was to say, to the authorities who naturally knew most about the needs of the districts. If that decision was arrived at in 1862, he maintained that they ought to be furnished with some very good reason before they altered it. The District Boards—and he spoke especially on behalf of one or two in his own constituency—knew the needs of their localities, and were competent to exercise the powers conferred on them by the Act of 1862. The Metropolitan Board of Works—if the hon. Baronet would excuse the observation—was a nondescript body that was not directly elected; and it simply wanted to possess itself of these powers and hold them *in terrorem* over the local bodies. The Metropolitan Board of Works came before this House every year—every year it brought forward an Omnibus Bill for something or other, and it succeeded in piling up enormous powers that affected the Metropolis. He objected to the manner in which these powers were obtained. The hon. Baronet came here in the small hours of the morning, when very few Members were present, and assumed a position, which he (Mr. Boord) was not entitled to assume, on the Front Opposition Bench, and succeeded in inducing Parliament to confer Royal powers on him and his Board. As a protest against this kind of thing, he should press his objection to the clause.

SIR JAMES M'GAREL-HOGG said, his hon. Friend objected to his coming here in the small hours of the morning, and he could only say, in reply, that he wished he was in bed. As to the Metropolitan Board of Works having received "Royal powers," Parliament had given them great powers, because they came here and said "such and such things are for the good of the public;" and the reasons they gave were so satisfactory, and commended themselves so much to hon. Members, that the powers they sought were conferred upon them. He would venture to explain—as many hon. Members might not be aware of it—that, at the present time, no one could build beyond the line of frontage without the leave of the Metropolitan Board. Irrespective of making roads for their own private advantage, people sometimes advanced their buildings. The persons who ought properly to see that the law was carried out were the Vestries; but he was sorry to say there were some Vestries who would not execute the law

—who, for their own private advantage, or because they had friends whom they wanted to propitiate, failed to execute the law. The Metropolitan Board of Works, therefore, came forward and asked that if certain people broke the law, and the Vestries would not check them, they themselves, as a higher authority—not a "nondescript" body, but a body properly constituted and placed in its present position by Parliament—should have the power of seeing that the law was properly executed. He was sure the proposal would commend itself to the Committee.

Sir GABRIEL GOLDNEY said, this involved a great Constitutional principle, and only a very few number of Members were in the House to discuss. The Vestries were elected directly; whereas the Metropolitan Board of Works was not a body directly elected, but chosen by the Vestries. If, therefore, new powers were to be given to the Metropolitan Board because the Vestries did not carry out their duty, it was for the constituencies to take the matter into their consideration.

Mr. WARTON said, that, as this was a most important Constitutional question, and there were so few Members present to take part in the discussion, he begged leave to call the attention of the Chairman to the fact that there were not 40 Members present.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

Clause *agreed to,* and *ordered* to stand part of the Bill.

Clauses 11 to 14, inclusive, *agreed to.*

Clause 15 (Conversion of houses, &c., into public buildings).

Motion made, and Question proposed, "That the Clause stand part of the Bill."

The CHAIRMAN: The Ayes have it.

Mr. WARTON said, he had challenged the decision of the Chairman, before he declared that the Ayes had it. Under the circumstances, he should move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Warton.*)

The CHAIRMAN: I think the reason given by the hon. and learned Member for Bridport for moving to report Progress is entirely founded upon a mistake. I certainly heard a challenge when I first put the Question; but I listened attentively for a second challenge, and heard none.

Mr. HIBBERT said, he hoped the hon. and learned Member would not press the Motion for Progress. The Bill had been under consideration by the Committee for several nights; and as there remained no matter of a contentious character to be disposed of, he should be glad to be allowed to finish the Committee stage at that Sitting.

Mr. WARTON said, the reason why he had moved for reporting Progress was because half-a-dozen hon. Members had said "No" to the Chairman's statement that he thought the Ayes had it. It was not a right thing to try to hurry the Bill through.

The CHAIRMAN: I distinctly stated from the Chair that on the second occasion I had not heard a single "No." It was in consequence of this that I said the Ayes had it.

An hon. Member said, he had distinctly heard several hon. Members challenge the decision of the Chairman.

Question put, and *negatived.*

Clause *agreed to,* and *ordered* to stand part of the Bill.

Clause 16 (Amendment of provisions of 18 & 19 Vict. c. 122, s. 21, with respect to hot water pipes).

On the Motion of Sir James M'Garel-Hogg, Amendments made in page 8, line 37, after the word "water," to insert the words "or steam," and in line 38, after "hot water," by inserting "or steam."

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clauses 17 to 26, inclusive, *agreed to.*

New Clause—"This Act shall not apply to the City of London or the Liberties thereof,"—*brought up,* and read the first time.

Motion made, and Question, "That the said Clause be now read a second time," put, and *agreed to.*

Clause *agreed to,* and *added* to the Bill.

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow,* at Two of the clock.

MOTIONS.

LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 6) BILL.

On Motion of Mr. HIBBERT, Bill to confirm certain Provisional Orders of the Local Government Board relating to the borough of Ashton-under-Lyne, the Improvement Act District of Bethesda, the Local Government District of Heckmondwike, the borough of Lewes, the Improvement Act District of Lytham, the Local Government District of Pemberton, the borough of Rochdale, and the Local Government District of Sowerby Bridge, *ordered* to be brought in by Mr. HIBBERT and Mr. DODSON.

Bill *presented,* and read the first time. [Bill 166.]

LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 7) BILL.

On Motion of Mr. HIBBERT, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Local Government Districts of Ealing, Edmonton, and Crompton, the Ports of Newcastle, North Shields, and South Shields, the Port of Plymouth, and the Local Government Districts of West Cowes and Woodford, *ordered* to be brought in by Mr. HIBBERT and Mr. DODSON.

Bill *presented,* and read the first time. [Bill 167.]

LOCAL GOVERNMENT PROVISIONAL ORDER (NO. 8) BILL.

On Motion of Mr. HIBBERT, Bill to confirm a Provisional Order of the Local Government Board relating to the borough of Salford, *ordered* to be brought in by Mr. HIBBERT and Mr. DODSON.

Bill *presented,* and read the first time. [Bill 168.]

POOR LAW (SETTLEMENT) BILL.

On Motion of Mr. O'SULLIVAN, Bill to amend the thirty-fourth section of "The Divided Parishes and Poor Law Amendment Act, 1876," *ordered* to be brought in by Mr. O'SULLIVAN, Mr. PELL, Sir HERVEY BRUCE, and Mr. JOSEPH COWEN.

Bill *presented,* and read the first time. [Bill 170.]

POOR RATES BILL.

On Motion of Mr. JACOB BRIGHT, Bill to amend "The Poor Rate Assessment and Collection Act, 1869," *ordered* to be brought in by Mr. JACOB BRIGHT, Mr. WHITLEY, Mr. RATHBONE, Colonel MAKINS, and Mr. CODDINGTON.

Bill *presented,* and read the first time. [Bill 171.]

House adjourned at a quarter after Two of the clock.

HOUSE OF LORDS,

Friday, 19*th May,* 1882.

MINUTES.]—SELECT COMMITTEE—Law relating to the Protection of Young Girls, The Lord Penzance added.

PUBLIC BILLS—*First Reading*—Arklow Harbour * (98); Cathedral Statutes Amendment * (99).

Second Reading — Places of Public Worship Sites Amendment * (77); Local Government Provisional Order (Highways) * (82); Commons Regulation Provisional Orders * (88); Public Health (Scotland) Act Amendment * (84).

Committee—Elementary Education Provisional Order Confirmation (London) * (56); Elementary Education Provisional Orders Confirmation (West Ham, &c.) * (55); Petty Sessions (Ireland) * (89).

Committee — Report — Documentary Evidence * (87); Military Manœuvres * (86).

Report—Militia Storehouses * (76); Commonable Rights * (73-100).

Third Reading—Married Women's Property * (83); Payment of Wages in Public-houses Prohibition * (41), and *passed.*

Royal Assent—Consolidated Fund (No. 3) [45 *Vict.* c. 8].

IRELAND — IRISH POLICY OF THE GOVERNMENT — RELEASE OF MR. PARNELL AND OTHERS.

OBSERVATIONS. QUESTION.

LORD ORANMORE AND BROWNE: My Lords, seeing the noble Lord (Lord Carlingford) in his place, I wish to ask him a Question, of which I have given him private Notice, with regard to a paragraph which appeared in *The Daily Telegraph,* and which was afterwards copied in *The St. James's Gazette*—I myself think that probably it has no foundation; but perhaps the noble Lord, or some other Member of the Government, may not be sorry to repudiate having had anything to do with the late unsavoury transaction, the negotiations which have taken place with the criminals in Ireland. My Question is, Whether the following statement is true or not:—

> "The Dublin correspondent of *The Daily Telegraph* telegraphed last night that in Dublin society there was much talk of a visit said to have been paid to Kilmainham by Lord Carlingford during his recent visit to this country. It was openly stated the other evening that this visit had taken place, and surprise was expressed that during the discussion of the question of the so-called Treaty of Kilmainham no reference was made to that conference of a Cabinet Minister with the imprisoned suspects."

LORD CARLINGFORD: My Lords, I do not desire to repudiate any part of the transactions in which I have taken a share with my Colleagues, as I think, for the good of Ireland. But as to the alleged fact about which the noble Lord opposite (Lord Oranmore and Browne) inquires, I see that a morning paper has been good enough to contradict it for me already. I am quite willing to state to the noble Lord that there is not the smallest shadow of foundation or excuse for such a story.

ELEMENTARY EDUCATION.

RESOLUTION.

LORD NORTON rose to move—

> "That the Education Code for 1883 be referred to a committee to consider whether it might not be possible more effectually to carry out its professed intention of simplification of the Code, and remove the serious defects in the mode of distribution of the grants in aid, and prevent the perpetual changes against which complaints increasingly come from those engaged in the work of national elementary education."

He said that, although simplification was stated in the front to be the main object of the New Code, he could not think it had been attained. At the outset, in the definition of the subject—a public elementary school—there was a complication of two definitions—first, as a school at which there was no higher fee paid than 9*d*. a-week, no matter what was taught or who received the instruction, so long as it was provided beyond that limit of payment at public expense; and, secondly, as a school where no religious teaching was required. There seemed nothing in this double definition of national elementary education—as anything, provided only it be eleemosynary and devoid of religious teaching — so desirable and creditable to the country that simplification of the Code should be sacrificed for its sake. A better definition of an elementary school in this country would be one in which, subject to statutory conditions, elementary education was offered to the working classes chiefly at the public expense. But this would not suit the official intention, unavowed, unauthorized by Parliament, and, as the right rev. Prelate (the Bishop of Exeter) called it in a recent speech, a mischievous encroachment of elementary on higher education, which, for many important reasons, should be supported by those who want it, or won by exhibitions from the elementary schools publicly provided. But the right hon. Gentleman the Vice President of the Council (Mr. Mundella) had, in a recent speech, plainly assumed to his Office the education of the middle classes, if not of the whole nation. His idea, generally, of national education seemed to be an education of the working classes into the middle class, and the middle class into the professional, rather than to bring up everyone to fulfil the duties of life, intelligently and honestly, whatever each one might be fit for. Another defect in this attempt to simplify the Code was the endless repetitions in it, which, though excusable during annual revision, were a blot in final consolidation. Scarce a chapter but had an article belonging to, and in, another chapter. For instance, the schools dealt with were again defined in the 4th chapter. As to intelligibility, urban schools must have been solely contemplated. The 109th Article would puzzle any country schoolmaster, seeking in that Article to know what the Code promised him in the way of earnings. It had an octave of sub-sections, A to G, three of which contained respectively five, nine, and eleven sub-sections.

But it was more important to consider what was the cause of the hopeless complication of the Code, baffling even that last most honest and able attempt to simplify it. It was remarkable that not even the new French education scheme was nearly so elaborate in its details, and specifications of subjects as ours. Yet it was expressly meant to cover both primary and secondary instruction, and for all classes. It was strange that England should take the lead in Government prescription of popular instruction, the effect of which on national character elsewhere they had never coveted. The occasion of that elaboration of their Education Code was the disintegration of Government aid to national schools into a number of little payments; on so-called results of teaching, supposed to be ascertained by individual examinations. Mr. Lowe (now Lord Sherbrooke) introduced this method in 1862; he thought that more general reports must be made in vague and abstract terms, affording no guarantee to the Treasury of a *quid pro quo* for its aid, and unreliable for testing in a crucial manner the teachers' work with the children. This reliance on individual examination was amusingly exposed some years ago in a Blue Book. It was said that if you multiplied the number of the Inspectors by the number of minutes in the year they had available for those individual examinations, and divided the sum by the millions of children to be examined, you would find the value of such examinations. But they were not left to arithmetical calculation on this point. Mr. Matthew Arnold said, in his Report of 1867, after five years' trial of the system—

> "A decline of intellectual life is distinctly due to the mechanical mode of examination the Revised Code has introduced. It is now found possible, by ingenious preparation, to get children through the examinations in reading, writing, and ciphering, without their really knowing how to read, write, or cipher. The idea of payment by results is just the idea to catch ordinary public opinion."

Mr. Alington, in 1880, observed that the number of passes was increasing; but he said that, as it was owing to a "leniency of judgment" recommended by their Lordships, the figures offered no trustworthy test of real progress. Another Inspector described the terror of country children first confronted with Examiners, though of the gentlest temper, always in a violent hurry. Such a guarantee of real school-work was a delusion. But it was maintained that, at all events, payment in small detail was the only way to get accurate reports, because Inspectors would freely give judgments involving small consequences, but would shrink from any wider censure, as involving too much forfeiture. Mr. Alington, however, said—

> "As to the immense proportion of passes, Examiners, so far from finding judgments in detail easy, felt their minds, from the very minuteness of the points, so balancing and hesitating that the results were not satisfactory."

It was not true, however, that more general reports would put more power or responsibility upon the Inspector. The proposed more general reports would likewise be under separate heads, to each of which grants in aid might be separately attached. The first head would be as to the instruction being given, which the Inspectors would test for themselves by casual examinations from time to time. Visits should be paid, not, as now, at stated periods of the year, but unexpectedly and frequently, as the Local Government Inspectors visited workhouses often in the year, and presented themselves at Boards of Guardians without notice; not as spies, but to see the ordinary working. Another head of report would be made on the discipline and order, which was one of the heads of this New Code, and would easily be given, from the appearance of the children and the conduct of the teachers. Another head of report would be on the subjects taught, and their suitability to the particular school and children. It was not to be expected that the same standard of instruction would suit the son of a Wiltshire ploughman and the son of a Manchester tradesman. As the Code stood, a large part of the Treasury aid must always be taken by the middle classes out of the reach of those for whom it was primarily intended.

But it was said that making grants for individual results on specified subjects of teaching—that was, payment by piecework—was the only way to secure equal attention to all. Mr. Chadwick had strikingly shown that this supposed guarantee against the neglect of dull children had led to the clever being unfairly made to wait upon the dull. The bright child would obtain the same result in one year that another did in two. Why should he be subject to two years' attendances merely that the teacher might not lose the Code gradation of earnings, while the dull child was ostensibly advanced through successive stages for the same object, whether the pass had been secured or not?

But another plea for the present system was that it fixed a standard of teaching below which the Treasury would not consent to waste public money. He must again refer to Mr. Chadwick's able paper, as to the injury inevitable to national education from fixed conditions being applied to widely-varying circumstances, and from any uniform Government gauge being applied to all parts and working classes of the country. Of course, those would always most easily come up to any fixed standard who, in the intention of Parliament, had the least, or no claim to any help. Mr. Baines, years ago, when a Liberal Cabinet Minister and Member for Manchester said, with regret, in debate, that—

"Thousands who had no fair claim were helping themselves to what Parliament had voted for the elementary instruction of the labouring poor."

A fixed standard of individual examination was, moreover, a positive straitwaistcoat to the great variety of teaching faculty. Mr. Arnold constantly said, "More free play to the teacher is wanted." It was no answer to say that this was only a minimum standard; for it, all the same, apportioned aid in inverse ratio to need, and lost all elasticity and comprehensiveness in a national system. What was the use of having Inspectors of so high a stamp, if the Treasury could not trust them to give a sufficient report of the apparent efficiency of schools in constant judgment on specified particulars? What more should the Treasury require before making its due contribution? The London School Board, doing everything in duplicate, had its own Inspectors, who made their reports to it, not on the Code plan, but on the general heads of inquiry, such as he proposed. That was their habitual mode of reporting. A Reviewing Officer reported generally to the Horse Guards on what he saw on a field-day of the Service he inspected, and not on every detail of drill. Counties paid half the cost of highways on their Surveyor's general report that they appeared to be efficiently maintained, not in instalments on every individual work executed. He might also ask what was the use of such highly-trained and certificated teachers, if they could not be trusted as to the details of conduct of a school, which might be generally tested by final examinations?

But it was said there was general satisfaction with this Code. Alas! such was the degradation to which the grounds of satisfaction had fallen. Every deputation to the noble Earl the Lord President of the Council had discussed the Code mainly on its effects on what were called the "earnings" to be got out of it, or the "mulctings" from what were now getting claimed as established perquisites. The interests of education had rarely come into the discussion. All discussion was as to the effects of the proposed changes—not on the schools, but on the incomes. And now the noble Earl recommended his new edition, on the same mercenary calculation, as being equally lucrative to teachers as the former. But many leading Inspectors, though warned not to criticize, and associations, meetings, and individuals interested in national education, were expressing anything but satisfaction.

It was altogether unfortunate that the adoption by the State of an originally voluntary foundation had made their national schools dependent for their necessary expenditure on a precarious contribution from the Government, according to its own official judgment of the work done during the previous year. That was scarcely a proper provision for national institutions. In the case of voluntary schools, there were no means to meet any deficiency so created, and debts already incurred. Board schools might get fresh rates; but the National Treasury could judge itself free as to its share in the national contract, though dealing with funds most nationally levied, and though ruining a national school. A national school should be secure, subject to audit, for its necessary current expenses. There should be an Education Minister; and he should be ready and able, subject to appeals, to call upon local managers to dismiss incompetent teachers, when any school's inefficiency seemed otherwise incorrigible, rather than ruin the school. It should not be allowed that teachers should devote their attention to making up their own salaries by specified Treasury pickings, instead of to securing, in the best way they could, the educational requirements of their very various pupils. In Germany, all teachers were paid by fixed salaries, sometimes with prizes added for special excellence. When "Treasury aid per results" was first introduced it was most unpopular in the country; and some remarkable speeches were made in that House, especially by the late Lord Derby and Bishop Wilberforce, strikingly anticipating the evils which had followed. Once adopted, the system was difficult to alter. Every year's revision of the Code had more or less departed from that mistaken mode of aid, and the noble Earl now recommended his new edition, on its further departure from it. The "special merit grant," introduced in this revision, was on the contrary principle, though even that was made to depend upon passes. It might sometimes be due in inverse ratio to the number of passes, and of extra subjects taken up, where teachers had to slave with dull country bumpkins, and merited the more for the unmanageableness of their work. He (Lord Norton) knew that the noble Earl was constantly pressed by theorists to add more and more subjects to the Code. He had heard him admitting to those so pressing him that there were many subjects under heaven worth studying; but deprecating the introduction, at any rate, of more than one at a time into elementary schools for the working classes. Not near so much was attempted for the upper classes; yet the children of parents who had had the means of higher mental cultivation should generally inherit more mental capacity than a navvy's child, who would generally inherit, on the other hand, more physical endurance of continuous daily labour. "But by the action of the Code," said Mr. Alderson, in his Report of 1877—

> "The choice of a specific subject was often determined, not by any special fitness or aptitude, but regarded as a possible streamlet from the Parliamentary milch cow, towards which a teacher is guided by an intelligent forecast of its grant-yielding capability."

The proof of the system was, however, in its general result. Its author complained, when he introduced it, that so few children were reported on the previous system to leave school able to read at all intelligently. What said he, in a recent debate in that House, on the 4th Schedule, of the result of 20 years of his improved method? That he had tried often to get a top Standard boy from a London school who could read intelligibly to him, and he had never been able to get one. That might come from the prevalent mistake of only making children read, and not letting them also hear good reading. Good reading was caught by the ear. Still, the system must be radically at fault which ended in one of the most eminent Inspectors saying that—

> "While subject after subject was being added to the programme, far the greater number of children did not really learn what they were supposed to learn."

The schools were seeking for paying results, and for paying pupils; and were not content to plod on with the elementary grounding of children of the working class.

He allowed that the new edition of the Code was an advance in the right direction, and an amendment of the more glaring defects of its precursors. They had their choice, whether to go on so advancing by yearly changes, increasing complication, and retaining the mercenary against the educational aim of teachers; or to appoint a Committee now, to inquire in time, to prepare a simpler, a sounder, and a final system after 1883. The first part of such simpler Code, that was the part relating to elementary schools, would only need four clauses—a definition of the schools, of the teachers to be recognized, of the subjects generally to be taught, and of the rate of Treasury aid. With such a Code, the public elementary education of the poor would soon, no doubt, conform again much more with the intention and authority of Parliament. The State standing out of the way, higher schools would soon be found to meet the demand. Exhibitions from elementary schools should be publicly provided to offer a free ladder to all the children of the working class who could really go on to these higher schools. Other children would not be kept from a timely apprenticeship to their work, that teachers might earn a grant or two more by making them repeat a few terms of science. If they really meant the State to undertake the education of the middle class, it would be better to avow the intention, and alter the law accordingly. A Government groove, and elimination of religious teaching, would then, unfortunately, attach to middle-class schools also; but nothing could be worse than trying to slip the middle, slily and unreally, into elementary education. When that pretence was gone, the children most dependent on public aid would also find their place recognized in the Public Education Ministry, who were now stowed away in the Police and Poor Law Departments, brought up as criminals and paupers, and not reckoned in the Education Estimates at all.

He had said nothing on the financial view of the subject, and the gross wastefulness of the present half-and-half system. Whatever might be thought of extra and special subjects of elementary instruction, there was an extra and special expenditure now growing dangerous to the endurance of national education altogether, irrespectively of proved defects and devoid of any sound results. He had said nothing on pupil teachers and Training Colleges; he had simply dealt with the first part of the Code. He asked, however, for a Committee to inquire into the whole Code, and into the ultimate issue of its shiftings and changes during the last 20 years, with a view to some settlement, at least for a time, and that they might have a simple and intelligible regulation of Government aid to be given to all such public elementary schools as were reported on stated points to be efficiently and suitably conducted.

Moved, "That the Education Code for 1883 be referred to a committee to consider whether it might not be possible more effectually to carry out its professed intention of simplification of the Code, and remove the serious defects in the mode of distribution of the grants in aid, and prevent the perpetual changes against which complaints increasingly come from those engaged in the work of national elementary education."—(*The Lord Norton.*)

LORD CARLINGFORD said, that the noble Lord opposite (Lord Norton) had found great fault with the system of education in this country, and desired very radical changes; but he (Lord Carlingford) was glad to find that he did not make any attack on the New Code, as such, or as compared with its predecessors, because, if he had, he should have had reason to regret the absence of his noble Friend the Lord President of the Council (Earl Spencer), by whose care and labour, in conjunction with his right hon. Friend (Mr. Mundella), the New Code had been brought to its present condition. The objections of the noble Lord to the present system of elementary education in England turned partly upon what he thought to be the excessive complication of the Code, and the undue and unfair amount of money given under it for the higher branches of education. As to the want of simplicity in the Code, he (Lord Carlingford) confessed that he was not convinced by the argument. He believed that his noble Friend's Code of four Articles was a pure dream — an ideal quite beyond the attainment of practical men. When they found that they had a system which had to deal with a great variety of schools, with different kinds and ages of children, and which, above all, had to control and protect and safeguard the spending, year by year, of something like £4,000,000 of public money, he could not think that a Code of Rules and Regulations for such purposes to be effectual could be a short and simple one. Therefore, he could see nothing wonderful in the fact that it was necessarily somewhat complicated. The noble Lord himself knew that strenuous efforts had been made in that direction by the Government, and that the present Code, although far indeed from his noble Friend's beau-ideal of four Articles, was the simplest which had yet been issued. As to the teaching of higher subjects, and the excessive amount of public money expended on those subjects, he could not think, so far as he had had time to look into the matter, that these fears, which, he believed, were shared by some others besides his noble Friend, had much foundation. It appeared that out of 4,000,000 scholars on the roll of the registered elementary schools of Great Britain at that moment, there were only 45,000 above the age of 14; and it was only children above that age who were likely to be engaged on the higher subjects. The number of those who had passed through all the ordinary Standards was only 9,400. But if the noble Lord's fears were at all well grounded, what remedy did he propose, by the main part of his Motion and speech, which was evidently directed against one of the foundations of the present system of education—namely, payment by results? How the noble Lord could connect that system with what he thought to be the exaggerated amount of higher instruction in common schools passed his (Lord Carlingford's) comprehension. His belief was that that system was the great security for the essential elements of primary education; and it must have a most important effect in preventing the teacher from devoting an undue amount of effort to the higher subjects. The Motion of his noble Friend was an attack on the principle of payment by results. He must, in replying to that attack, remind their Lordships how the system came about. The noble Lord said that it was adopted in the teeth of the Report of the Royal Commission of 1861. But, so far from that being the case, it was built up and founded by two noble Lords near him (Viscount Sherbrooke and Earl Granville) on the Report of the Duke of Newcastle's Commission, which was appointed by the late Lord Derby. The main point in that Report was the discovery of neglect in the primary and essential elements of ordinary education. Nothing could be stronger than the language in which the Report asserted that they found that only a quarter of the children were well taught, and that the rest were so imperfectly taught that they forgot all they learnt as soon as they left school. They said—

> "There is only one way of securing this result, which is to institute a searching examination by competent authority of every child in every school to which grants are to be paid, with the view of ascertaining whether the indispensable elements of knowledge are thoroughly acquired, and to make the prospects and position of the teacher dependent, to a considerable extent, on the results of this examination."

He (Lord Carlingford) had searched the records, and he was unable to find any educational authority who had complained of the working of this system. He would not say that all the evils had been cured, but, at any rate, they had been, to a large extent, remedied; and he failed to see how the revolutionary proposal of the noble Lord would in any way improve the condition of affairs. A few figures would show what an improvement had taken place in recent years. The Inspectors in the year 1863—the first year of their Report after the adoption of the results system—stated that no less than 86 per cent of the children above 10 years of age who were presented for examination failed to reach the Standard in which they ought, according to the Code, to have been presented. In 1881, it was reported that only 48 per cent had failed to reach that Standard, so that, while 14 per cent reached the Standard in 1863, in 1881 52 per cent reached it; so that it would be seen that no inconsiderable progress in elementary teaching had been made. It was quite clear, therefore—and he hoped it would be equally clear to their Lordships—that, at all events, they were on the right road in this matter, and ought not to be seduced from it by his noble Friend. Some years ago, when he (Lord Carlingford) held the Office of Chief Secretary to the Lord Lieutenant of Ireland under the present Secretary of State for the Colonies, the system of payment by results was introduced into that country. All persons who had watched its working would admit that it had given an immense stimulus to education there. Sir Patrick Keenan, the permanent head of the Education Department in Ireland, made a very interesting statement in regard to this matter at the Social Science Meeting at Dublin last autumn—

> "It would be the sheerest fatuity," he said, "to ignore the enormous improvement in the education of the people which this results system, as a system of tests, has produced. It has been in operation only nine years. In that period the average attendance has increased 32 per cent. The local emoluments of the teachers have increased 119 per cent. The percentage of children in the higher classes, before the results period, never quite reached eight; last year it was nearly 24 per cent. The centesimal proportion of the proficient to the total number examined in each branch is the best indication of the merits of a school. Selecting the published Educational Returns of 1870 (before the system of results had been decided upon), and comparing them with those of 1880 (when the system was in full operation), I find the following remarkable contrasts:—In 1870—reading 70·5, writing 57·7, and arithmetic 54·4; in 1880—reading 91·4, writing 93·8, and arithmetic 74·8 per cent."

Sir Patrick Keenan went on to say that the system had emancipated the younger children from the terrible stagnation in which they had been allowed to remain under the former system. The New Code held to the system of payment by results; and if it were thought that too much stress were placed on that, and too little stress placed on the general merits of the teaching and mental development of the children, he would point out that several provisions of the New Code were distinctly aimed as a corrective of any error that had been made in that direction. But what did the noble Lord expect from getting rid of the principle—the original sin, as he called it—of the system of 1862? The noble Lord had said boldly that examination was a great blunder, and that we must fall back upon a system of intelligent inspection. The noble Lord had suggested that there should be a sort of casual examination of a child here and there, dependent upon the discretion or the caprice of the Inspector. But if the Government were to propose this system of casual examination in place of the regular examination now in force, what would be said by those who were interested that £4,000,000 sterling should not be annually wasted, and by all managers of schools? It had been proposed lately by the Council Office that there should be a system of sample examinations; but how had that proposal been received by the country? Why, it was heard only to be denounced. The National Society, the British and Foreign School Society, the Union of Teachers, and all other scholastic Bodies, met to protest against the adoption of such a system. One great objection to the system of payment by inspection was that it would be impossible to carry it on in connection with the compulsory education system, and with the Statutes in restraint of the labour of children. If this system were to be adopted, how was a child to be certificated as a whole or a half-timer, and how could the Factory Acts be worked? What, moreover, would become of the voluntary schools of the country under a system of that kind? The noble Lord proposed that, instead of the voluntary schools being kept in order by a system of payment by results, they should be subjected to a most tremendous penalty, because any falling-off in the efficiency of the schools was to be punished by the loss of the half or the whole of their grant. In these circumstances, he could not do otherwise than oppose the Motion of the noble Lord. The proposal of the noble Lord, if persisted in, would unsettle everything, and pull up by the roots the growth of education which was covering the land more widely year by year; and, therefore, he trusted the House would not follow the advice given by the noble Lord, or grant an inquiry, which was totally uncalled for, and which would lead to disastrous results.

THE DUKE OF RICHMOND AND GORDON said, he could not conceive that any good could result from the appointment of a Committee such as that suggested by the noble Lord (Lord Norton) upon the New Code, and he could not imagine how any Government could consent to it. In what useful direction could the Committee which the noble Lord asked for carry on its inquiries? Having been for six years at the head of the Educational Department under the late Government, he (the Duke of Richmond and Gordon) took a deep interest in this subject. He regretted the absence of the Lord President of the Council (Earl Spencer), for, although he did not wish to express any disrespect for the noble Lord who had stated the views of the Government (Lord Carlingford), it was desirable, on the ground of public convenience, that in a discussion of this nature the Head of the Department should be in his place. As he gathered from the observations of the noble Lord himself, the results of the system which had grown up under the Revised Code had given general satisfaction, because he had pointed to the depth to which public opinion had sunk to be in favour of a system which had been in operation for the last 12 years. He was quite ready to admit that the greatest labour and attention had been bestowed upon the Revised Code for next year, and that the Department had endeavoured to make it as perfect as possible. Its form was to some extent improved, and its administration, if not interfered with, would be simplified, though he doubted whether the omission of the cross references would render the Code as intelligible and as easy for reference as it was now. Out-of-doors this Code for 1883 was called an Inspectors' Code, because of the excessive power which it conferred on Inspectors. This power was larger than it was wise to accord. He deprecated granting excessive powers to Inspectors, although he did not object to giving them some larger powers than they at present possessed; and he also approved of giving local authorities power to deal with educational matters in their districts instead of referring everything to the Central Government. The two principal portions of the New Code related to the payment by results and the extension of the inspection system. Now, payment by results had been before the country many years, and had given universal satisfaction; but, with regard to the extension of the system of inspection, he could not help thinking that that might be a little over done. With few exceptions, the proposed changes were not important; but he (the Duke of Richmond and Gordon) objected to the appointment of an army of Sub-Inspectors chosen from among the teachers, because he thought it extremely doubtful policy to choose Inspectors from among teachers. Of course, the noble Lord was aware that that plan had been condemned by the Duke of Newcastle's Commission, the Report of which was signed by the best educational authorities of the time—namely, the Duke of Newcastle, John Taylor Coleridge, William Charles Lake, William Rogers, Goldwin Smith, Nassau Senior, and Edward Miall—

> "Schoolmasters not fit for office of Inspectors.—As to the specific complaint that they are not made Inspectors, we think that they would not be fit for the office. It is absolutely necessary that Inspectors should be fitted by previous training and social position to communicate and associate upon terms of equality with the managers of schools, and the clergy of different denominations. It is one of the alleged grievances of the schoolmasters that these persons do not recognize them as social equals; and that state of things, with which no public authority can interfere, is in itself conclusive against the suggestion that they should be made Inspectors."

With that opinion he cordially agreed, and he was astonished to hear of the present proposal. His noble Friend's Motion implied that changes and variations were undesirable in themselves; but he could not take that view, as he believed that many most useful variations had been adopted, and that, at any rate, the power to vary the Code was necessary. It would be unwise to say that the Code should be incapable of any alteration which experience from time to time suggested as proper. He wished to add a word or two as to a matter personal to himself as the Head of the Department under the late Government. He observed that the Vice President of the Council, in a speech made at the conference of elementary teachers at Sheffield in the present year, had said—

> "Let me commend to you, when you have a kindly word to say, or a kindly thought to express of the Department, let me commend to you the name of my noble Friend Earl Spencer, who has voluntarily put aside all the advantages of his high position, and all the patronage that belongs to it, and who will not for the remainder of our term of Office, whether it be long or short (and we are setting an example to our successors), appoint gentlemen to the Inspectorate, because they are political allies, or casual acquaintances, to mete out the awards of the State to the teachers of the country. Such conduct as that is, I think, worthy of all laudation and commendation."

He (the Duke of Richmond and Gordon) considered that that was an insinuation against the late Government; and, if it were intended to imply that they had made appointments from such motives, he could give the statement his most unqualified contradiction, and he must enter his most strenuous protest against such insinuations as those made by the right hon. Gentleman at Sheffield. He had never appointed a single Inspector for either private or political reasons; but had chosen for the office the best men he could find, without reference to other considerations. In one case only had he known by sight the Inspector thus chosen, and in no case had he any acquaintance with his political views. With regard to the Motion before the House, he advised his noble Friend (Lord Norton) to withdraw it.

THE BISHOP OF CARLISLE said, he wished to repudiate the suggestion that the deputation of the National Society was chiefly concerned with the monetary question. The Archbishop of Canterbury apologized for going into it, saying that, after all, it could not be avoided, because to voluntary schools it was a matter of life or death. That the pecuniary question was the only one they looked at he totally denied; the deputation dealt with the whole Code, and only with the monetary question as necessarily a part of the whole. As to the New Code, it had generally been accepted by the great bulk of those interested in education as an immensely more intelligible document than any that had gone before; and, as far as he could judge from conversations he had had with the schoolmasters of the poorer classes of schools, he inferred that the better class of masters were not at all afraid of it, and would work their schools well under it. Speaking generally, he believed the Code was accepted throughout the country as a considerable step in advance.

EARL FORTESCUE said, that he concurred with his noble Friend who had moved for the Committee in thinking it very largely desirable, but not altogether, on the same grounds. He objected to the New Code, as he had to many previous ones; not because he was an opponent of education—for he had, for more than 40 years, taken a deep interest in the education of all classes, the highest, the middle, and the wage class, and had spent much time and labour and several thousands of pounds in its promotion and improvement—but because he disapproved of much in those Codes. Their Lordships had been told that the New Code was generally acceptable. He could not agree there. It was disapproved of by a large proportion of the school teachers. Mr. Sykes, the President of the General Conference of Elementary School Teachers, in his address—which was warmly applauded—described it as being quite dissimilar to the system pursued in higher schools, where, he said, the masters—

> "Are not pained and worried throughout the year by the sight of bright, intelligent pupils doomed to idleness and stagnation, and the weak and dull goaded to efforts beyond their physical strength and mental powers, by the demands of a cold, cruel, and exacting system of education."

The teachers said that, if left to choose their own methods, they could save more than a year's time to their scholars; and it should be remembered that the opinion pronounced by the teachers against the New Code would be naturally mitigated a little by the long-desired concession just made to them by the Education Department, in recognizing their admissibility henceforth to Inspectorships, which had just been so much deplored by the noble Duke (the Duke of Richmond and Gordon). He (Earl Fortescue) did not complain so much of payment by results, as of the system on which those results were ascertained—namely, by the annual examination of every child in the "three R.'s,"—and some in much more—at an enormous expense to the State, and with very injurious effect upon the children. It was like boys who, after planting a plant, could not resist taking it up again from time to time to look at its roots and see how it got on. It was testing the article during each stage of its manufacture instead of when finished. In Germany, where education had been much considered, it was stated that they had a leaving, instead of an annual, examination of each child, like ours.

But he further objected not less to the long hours of schooling under these Codes. Mr. T. Morrison, Principal of the Free Church Training College, declared the opinion of the teachers in Scotland to be that the pressure brought to bear upon the children, particularly on the lower thousands, by the Code was injurious—morally, mentally, and physically. Some noble Lords seemed surprised at the word "morally;" but the sense of injustice, restraint, and misery in children longing to be earning something for their families, but kept at school till 14, if they had not passed the Fourth Standard, was such as not unnaturally to cause a re-action in their feelings, and to incline them to break out into those acts of ruffianism and lawlessness which were becoming increasingly prevalent, he found, in the lads of the present day, many of whom must have had the benefit of schooling under the Act of 1870. The testimony, old and recent, as to the mental and physical consequences of the long school hours, was overwhelming. In 1860, Mr. Chadwick stated to the British Association—

> "That in a large public establishment, with 600 children, the girls, who were first provided with industrial work for half the day, beat the boys, who were kept in school the full time, at the general examination; but afterwards, when the boys, too, had work found them for half the day, they resumed their previous slight superiority over the girls."

And the physiological explanation of this was given on the same occasion by Professor Owen in striking words, which, however, there would not be time to quote here. That eminent physician and most popular lecturer, Dr. Richardson, had cited a letter from Mr. Charles Roberts, stating that after the children had been emancipated by the Factory Acts from the injurious effects of excessive physical labour, the result had now been merely to transfer them from one taskmaster to another—from the manufacturer to the schoolmaster. The Doctor had then described what he himself and trustworthy witnesses had seen of the general unhealthiness of children attending many elementary schools in London, partly natural, but much aggravated by over mental work, without the physical training which alone could have maintained or restored their health. Not only medical men, but *The Schoolmaster*, the recognized organ of the elementary school teachers, expressed disappointment at the omission of all mention of all physical training from the Code. Ample time could be found for it, if grammar and spelling were less pressed. He felt satisfied that far too much importance was attached by the Education Department to both. Dr. Alexander Bain, Rector of the University of Aberdeen, in his *Science of Education*, already in its 3rd edition, earnestly deprecated the study of grammar at all before 10 years of age, and said—

> "Anatomists tell us that the brain grows with great rapidity up to 7 years of age; it then attains an average weight of 40 ounces in the male. The increase is much slower between 7 and 14, when it attains 45 ounces; still slower from 14 to 20, when it is very near its greatest size. Consequently, of the more difficult intellectual exercises, some that would be impossible at 5 or 6 are easy at 8, through the fact of brain-growth alone. This is consistent with all our experience, and is of value as confirming that experience."

Mr. Langler, President of the Annual Conference of the National Union of Elementary Teachers in 1881, said, in his address—

> "There are many who hold—and I confess to be myself among that number—that the very valuable mental discipline which the proper study of grammar secures is too early introduced as a subject of examination. Children who must leave school for labour at the earliest possible age might much better employ their time by more extensive reading than in the grammatical classification of the few words of their limited vocabulary."

Our ancestors thought very little about spelling; and, the main object of writing and speaking being to convey our thoughts in an intelligible manner, he could not but feel that perfection in spelling had not all the importance which was very often attached to it. Pope's Correspondent wrote that—

> "Though he might sometimes find too many letters in her words, she hoped he did not find too many words in her letters."

A correspondent like her would certainly be far more instructive and amusing than correspondents all of whose words were accurately spelt, but which conveyed little but dulness to those who perused them. In order that the whole subject might be thoroughly investigated, he should be glad—though he feared he was taking too sanguine a view—if their Lordships decided to grant this Committee of Inquiry.

LORD NORTON said, he was quite content with the discussion which had taken place; but feared that he must leave the Education Code to arrive by degrees at the point of simplicity to which he would have been glad immediately to bring it before it had hopelessly tainted teachers and managers with mere mercenary calculations on Government aid in the work of national education. He begged to withdraw his Motion.

Motion (by leave of the House) *withdrawn.*

PLACES OF PUBLIC WORSHIP SITES AMENDMENT BILL.—(No. 77.)

(*The Lord Aberdare.*)

SECOND READING.

Order of the Day for the Second Reading read.

LORD ABERDARE, in moving that the Bill be now read a second time, explained that it was intended to extend the powers of the Bill of nine years ago, and to give powers, subject to proper safeguards, to Corporations and parochial authorities, to grant sites for churches in the same way as private persons were enabled to do.

Moved, "That the Bill be now read 2^{a}."—(*The Lord Aberdare.*)

Motion *agreed to;* Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

IRELAND—LANDED PROPERTY—RETURN OF ARREARS OF RENT.

WITHDRAWAL OF MOTION.

THE EARL of BELMORE, who had given Notice of a Motion—

> "That a Return be made by the Commissioners of Inland Revenue of all rents and arrears of rent arising out of landed property in Ireland, and which had accrued due before and up to 1st November 1880, upon which probate duty has been paid by the executors of deceased owners since that date,"

said, that difficulties as to arrears of rent often arose between the representatives of tenants for life and remaindermen as to arrears due before the death of the tenant for life. Remaindermen had in many cases purchased their arrears. He did not wish to refer to the Bill before the other House of Parliament, and as he was informed there would be difficulty in making the Return, he would not press his Motion.

Motion (by leave of the House) *withdrawn.*

CATHEDRAL STATUTES AMENDMENT BILL [H.L.]

A Bill to provide facilities for the alteration of Cathedral Statutes—Was *presented* by The Lord Archbishop of CANTERBURY; read 1^{a}. (No. 99.)

House adjourned at a quarter before Seven o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 19*th May*, 1882.

The House met at Two of the clock.

MINUTES.]—SUPPLY—*considered in Committee*—£2,137,750, on account, CIVIL SERVICES AND REVENUE DEPARTMENTS—CIVIL SERVICES, Class I.—PUBLIC WORKS AND BUILD ings: Class II.—Salaries and Expenses of Civil Departments; Class III.—Law and Justice; Class IV. — Education, Science, and Art; Class V.—Foreign and Colonial Services; Class VI.—Non-Effective and Charitable Services; Class VII. —Miscellaneous; Revenue Departments.

Private Bill (*by Order*) — *Second Reading*— North British and Mercantile Insurance Company *.

Public Bills—*Ordered—First Reading*—Local Government (Ireland) Provisional Orders (No. 3) * [172].

Second Reading—Local Government (Ireland) Provisional Orders (Ballymena, &c.) * [155]; Prevention of Crime (Ireland) [157].

Considered as amended—Metropolis Management and Building Acts Amendment * [107].

Third Reading—Local Government Provisional Orders (Poor Law) * [130], *discharged.*

Withdrawn—Fisheries (Ireland) * [17].

QUESTIONS.

MERCHANT SHIPPING ACTS (EMIGRANT SHIPS)—DETENTION MONEY.

Mr. MOORE asked the President of the Board of Trade, Whether his attention has been called to the large amount of overbooking which takes place, especially in the case of one of the principal Transatlantic lines, owing to which emigrants are brought to Queenstown in large numbers, and kept waiting many days for a steamer; whether it is a fact that the other lines touching at this port generally hand over surplus passengers to the next departing steamer, no matter what line it belongs to; whether he has considered how far the present amount of detention money is adequate, considering the expense and inconvenience emigrants are put to, in cost of keep, in the breaking up of parties composed of relatives, and the impossibility of keeping engagements made with friends who have promised to meet them on their arrival in America; and, whether he will remonstrate with this Company on the course they are pursuing?

Mr. CHAMBERLAIN: Sir, my attention has been called to the unusually large number of emigrants this year. It is the practice of the various lines touching at Queenstown to hand over their surplus passengers to the next departing steamer, no matter to what line it belonged; and I am authorized to state that this practice is followed, as far as it can be, by the particular line referred to by the hon. Member. In many cases, however, emigrants insist upon travelling by the line by which they have been booked; and, pending the arrival of the next steamer of that line, the owners have to pay detention money. This payment is fixed by Statute at 1*s.* 6*d.* per adult per day for the first 10 days, and after that period at 3*s.* per day. From inquiry I have made I learn that the particular line in question allows 2*s.* instead of 1*s.* 6*d.* apiece per day to emigrants detained; and it is further stated that this detention has in no case lasted longer than from one week to the next.

CRIMINAL LAW (SCOTLAND)—THREATENING LETTERS.

Mr. BIGGAR asked the Lord Advocate, If his attention has been drawn to a case tried at Tain a few days ago, in which two persons were put on their trial for sending a threatening letter, when one of them pleaded guilty and was sentenced, while the case against the other, who pleaded not guilty, has been postponed; whether he is aware that the person who pleaded not guilty cannot either read or write; and, whether, under the circumstances, proceedings against him will be withdrawn?

The LORD ADVOCATE (Mr. J. B. Balfour): Sir, the charge referred to by the hon. Member was made against two persons, named Munroe and Mackenzie, for writing or causing to be written, and sending or causing to be sent, a threatening letter of a very gross description to the Inspector of the Poor at Tain. Munroe pleaded guilty, and Mackenzie not guilty. I believe it is true that Mackenzie cannot write, and that he can only read print; but from the evidence in possession of the authorities it appears that the letter was written by Munroe at the dictation of Mackenzie, and, if this is so, Mackenzie is the more guilty of the two. Consequently, his trial will be proceeded with.

INLAND REVENUE — SUCCESSION DUTY (IRELAND).

Mr. BERESFORD asked Mr. Chancellor of the Exchequer, If it is true that Succession Duty on real estate in Ireland has hitherto been charged at the rate of 33 per cent. over Government valuation; whether, having regard to the reductions of rent now being made by the Land Courts, he will cause a revision of this scale to be made, with a view to bringing the Duty more in accordance with the altered circumstances of the landowners; and, whether, in the case of holdings in respect of which originating notices have been served, he will suspend the levying of Succession Duty until the judicial rent shall have been ascertained?

The CHANCELLOR of the EXCHEQUER (Mr. Gladstone): Sir, in Ireland the same rule as to the charge of Succession Duty prevails as that which prevails in England and Scotland. The rack rent at which the property was *bonâ fide* left at the time of the death which led to the Succession Duty being charged was taken as the annual value, according to which the capital value of the succession has to be estimated. If the property was in land, Griffith's valuation was taken, and not 33 per cent, but a percentage varying from 25 to 33 per cent added, as showing the annual value. In England and Scotland the annual value as shown in the Income Tax is taken, which is more severe. The decision of the Land Courts will doubtless govern the Commissioners in making the assessment; and with respect to cases where the annual value is *sub judice* at the time of the death, the Commissioners will hold over their claim for Succession Duty until it is decided.

Mr. MACARTNEY asked, whether in cases in which Succession Duty was paid by instalments, the same consideration as that announced by the Chancellor of the Exchequer, arising out of the Land Court decisions, would be extended to the instalments yet unpaid?

The CHANCELLOR of the EXCHEQUER (Mr. Gladstone): Sir, the payment of Succession Duty by instalments is entirely and absolutely an indulgence of a very remarkable character, which has been granted by Parliament in case of Succession Duty on land, and it serves little to disguise the case that the duty which ought to be paid to the Exchequer is the entire duty on the rental as it was at the time of the death; and I cannot undertake to revise what is to happen subsequently in respect to a decrease, any more than in respect to an increase, and, consequently, I do not think it would be just to introduce such changes as the hon. Gentleman suggests.

NAVY—STATE OF THE IRON-CLADS.

Sir EDWARD REED asked the Secretary to the Admiralty, Whether Her Majesty's ironclad ships "Rupert," "Audacious," "Bellerophon," and "Shannon," are lying at Her Majesty's Dockyards in need of repair; whether their repairs are being proceeded with; and, if not, whether, while they remain without repair, they are unavailable for the service of the Country abroad?

Mr. CAMPBELL-BANNERMAN: Sir, the *Rupert*, *Audacious*, and *Bellerophon* are now under repair at the Dockyards, and are to be completed during the current financial year. The *Shannon* has been paid off and stripped, but she is to be refitted during the present year. I need hardly add, in reply to the last part of my hon. Friend's Question, that until these repairs are completed the ships are not available for sea service.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR. EDWARD O'CONNOR.

Mr. REDMOND asked the Chief Secretary to the Lord Lieutenant of Ireland, If he will state the reasons for the removal from Naas Gaol to Kilmainham of Mr. Edward O'Connor, T.C. of Naas; whether he is aware that since Mr. O'Connor is proprietor of a business establishment in Naas, his removal to Kilmainham entails grave pecuniary loss upon him; and, whether under these circumstances he can order his release or his immediate removal to Naas?

Mr. TREVELYAN: Sir, Mr. O'Connor was removed from Naas to Kilmainham after careful consideration; but I regret that I cannot state the reasons which influenced the Government in determining on the place of detention of any of the prisoners under the Protection Act. Mr. O'Connor is proprietor of the Commercial Hotel in Naas, which continues to be carried on in his absence. His Excellency the Lord Lieutenant is now causing inquiry to be made into his case.

NATIONAL EDUCATION (IRELAND)—SHANAGOLDEN NATIONAL SCHOOL.

Mr. SYNAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether all the children have been withdrawn from the National School of

Shanagolden, in the county of Limerick, by their parents, and whether the teachers have left same; whether, in consequence, the parish priest has been obliged to rent a house in the village for the education of the children and to employ a staff of teachers for the purpose, and whether his application to the Commissioners of National Education for a grant for said school has been refused; whether said National School-house was built by public money; and, if so, how same came to be the property of the landlord of the village, and how he came to be the sole patron, owner, and manager thereof; and, whether, under the circumstances, the Irish Government propose to take any and what steps to secure a proper school for the education of the children, or to recommend the Commissioners to give the usual grants to the school now rented by the parish priest for such education?

Mr. TREVELYAN: Sir, I have been in communication with the Commissioners of National Education in reference to this Question, and find that all but 15 or 16 children have been withdrawn from the Shanagolden National Schools, they having been "Boycotted" since June, 1881, because the manager gave shelter for a few hours to a body of police in one of the schoolrooms during a Land League meeting. Of six teachers recognized three have left according to latest returns, and there is still one teacher in each department. In September or October, 1881, the parish priest established a school in the village in lieu of the "Boycotted" schools, and I believe the school is still in operation. I am informed that the grant was refused to this school. All the buildings in the group composing the National schools were erected by the late Lord Monteagle at his own expense, with the exception of a small sum of £74, granted by the Board of National Education towards the expense of building the boys' school. This sum was granted on security of a lease for 31 years, which expired in January, 1875, since which date the boys' school has been a non-vested school. The matter seems to me to be one which could easily be arranged by any person with influence in the locality, and I do not think the Government should be asked to interfere with the discretion of the Board of National Education.

LAND LAW (IRELAND) ACT, 1881—RIGHTS OF TURBARY.

Mr. BIGGAR asked Mr. Attorney General for Ireland, If his attention has been called to the following case:—A number of tenants on the property of Sir George Hodgson, in the county Cavan, who always paid one shilling a-year for their turf bog, have got judicial rents fixed under the Land Act of 1881; but the landlord now asks them to propose a sum for their bog banks, and as it is feared the landlord may insist on getting a sum for their bogs equal to the reduction of rent and thus nullify the Land Act on his property; and, can he legally do this, and, if so, will the Act be amended in this important particular so as to protect a numerous class of tenants not only on this property but all over Ireland?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): Sir, my attention has only been called to this matter by the hon. Member's Question. If the facts are stated in this Question, it would appear that Sir George Hodgson is the owner of a turf bog which is in his own possession, and over which his tenants have no rights except to cut, save, and remove such turbary as he may sell to them or anyone else each season. If this be so he has the same lawful right as any other owner of moveable or immoveable property to sell it. Whether or not it is a matter for legislation is a question of policy, which it is not for me to reply to.

Mr. HEALY asked if it was not a fact that under the 5th sub-section of the 5th section of the Land Act the tenant was entitled to cut and save sufficient turbary for his holding?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, this Question assumed that the tenants had no right over the turf bog referred to. If they had, nothing could be done by the landlord to prejudice it.

RIVERS CONSERVANCY AND FLOODS PREVENTION BILL.

Mr. DUCKHAM asked the President of the Local Government Board, Whether he intends to proceed with the Rivers Conservancy Bill this Session; and, if so, when?

Mr. DODSON, in reply, said, the Government had not altered their intentions with regard to this Bill. They hoped to pass it into law this Session. He was unable to say when it would be taken—certainly not before Whitsuntide.

POST OFFICE—LONDON AND GLOBE TELEPHONE COMPANY.

MR. R. BIDDULPH MARTIN asked the Postmaster General, When he will be able to state the conclusion at which he may have arrived as to granting a licence to the London and Globe Telephone Company, authorising them to work in London and its suburban districts; and, whether he has any intention of purchasing the business of one particular Company at a large price, and thereby creating a monopoly of telephone service, by which the public will be deprived of the benefit of a healthy competition in the development of a scientific invention which may still be considered to be in its infancy?

MR. FAWCETT: I have received applications, not only from the London and Globe Telephone Company, but from other Telephone Companies for licences to carry on business in various towns, where a telephone exchange is already established, either by a private Company or by the Post Office. The important questions involved in these applications have for some time engaged my attention. I am not yet in a position to announce my decision; but I can assure my hon. Friend that there shall be no unnecessary delay in arriving at a conclusion, and in making it known. With regard to the latter part of his Question, I may state that the Government have no intention of purchasing the business of any Telephone Company.

PARLIAMENT—BUSINESS OF THE HOUSE—ORDER OF BUSINESS.

MR. ARTHUR ARNOLD asked the First Lord of the Treasury, Whether, if the discussion on the Amendment of his hon. Friend the Member for East Cumberland (Mr. G. J. Howard) should close before 12.30, the Government would take Supply? He asked the Question because, if Supply were not taken, the Settled Land Bill, which he (Mr. Arnold) desired to oppose, would come on.

MR. GLADSTONE said, that if the discussion on the proposal to open Museums on Sundays should terminate before 12.30 at the Evening Sitting, the Government would take Supply.

MR. SEXTON asked the Prime Minister if he could devise some means of hastening the consideration and passing in this House of the Arrears Bill, and so help the tenantry of Ireland from an increase of the number of evictions? He further asked if it was the fact that 1,800 persons had been evicted in Connaught during the past fortnight?

MR. GLADSTONE: I have not had before me the number of evictions in the last fortnight. In respect to the other Question, the matter has not been lost sight of, and I intend to refer to it in the approaching debate.

SIR STAFFORD NORTHCOTE asked if the Prime Minister adhered to his intention of proceeding with the second reading of the Arrears Bill on Monday? The Bill had not yet been distributed, and, considering its great importance, he hoped the Government would not persevere in their intention.

MR. GLADSTONE: I propose with regard to the very weighty Bill for the Prevention of Crime in Ireland, to allow an interval of Saturday, Sunday, and Monday between the second reading and the Committee. With regard to the Arrears Bill, where the question is one of principle, and where, in point of fact, Gentlemen would know nothing, on getting the Bill, that they do not know now, I think that the argument in support of a long interval is not very strong. I regret extremely that the Bill has not been distributed this morning; but I am positively assured that it will be in the Vote Office at 5 o'clock, and will be available for distribution by post this evening. As I have been led to say so much in answer to the appeal which the right hon. Gentleman was quite entitled to make, I wish to say that, assuming that the debate on the Prevention of Crimes Bill to terminate to-day, as I hope and do not feel any doubt will be the case, I certainly intend to ask the House to read the Arrears of Rent (Ireland) Bill a second time on Monday.

MR. ONSLOW asked what would be the course of Business after Whitsuntide? There were important matters—the Procedure and Corrupt Practices Bill—now before the House. Would the Corrupt Practices Bill take precedence of Procedure?

Mr. A. J. BALFOUR inquired what was to be done before the Whitsuntide Holidays, and what would be done if the Bill to be discussed that afternoon was not read a second time that night?

Mr. GLADSTONE said, that should the Prevention of Crime Bill by any accident not be read a second time this afternoon, he would have to consider whether it would not be his duty to ask the House to proceed with the debate at 9 o'clock this evening, or to take it on Monday. As to what would be the course of Business after Whitsuntide, by which, he supposed, was meant the Whitsuntide Holidays, he could not say what might happen; and it was premature yet to determine whether there would be any Whitsuntide Holidays or not.

PARLIAMENT — RULES OF DEBATE—EXPLANATION—MR. P. EGAN AND MR. FORSTER.

Mr. DILLON: Sir, I am reluctantly compelled to ask the indulgence of the House for two or three minutes for a personal explanation. I wish to read a letter from Mr. Patrick Egan, of Paris, in reference to a charge of an atrocious character which has been made against him publicly in this House by the right hon. Member for Bradford (Mr. W. E. Forster), and I hope the House will not refuse me the opportunity. The letter is addressed to me, and is as follows:—

> "The ex-Chief Secretary for Ireland, in his speech on the Arrears of Rent Bill, is reported to have spoken of Mr. Sheridan as a 'released suspect against whom we have for some time had a fresh warrant, and who, under disguises, has hitherto led operations in the promotion of outrages, going backwards and forwards between Mr. Egan in Paris and the outrage-mongers in the West.' I deny in the strongest and most emphatic manner that there is a shadow of foundation for the atrocious accusation conveyed against me in these words. I challenge Mr. Forster, if he has a particle of proof in sustainment of it, beyond the words of professional suspectors, to produce it. If he cannot do so I call upon him to withdraw the accusation. As regards Mr. Sheridan, he has visited Ireland just once since the League was proclaimed last October, and the object of his visit was shortly this. The funds of the League"——

Mr. MACARTNEY: Mr. Speaker, I rise to Order. I wish to ask you, Sir, whether a Member is entitled to make a personal explanation on behalf of a gentleman who is not a Member of this House?

Mr. SPEAKER: I consider that the observations of the hon. Member are irregular, having regard to the manner in which he proposes to bring the matter before the House. If in the debate on the Bill he should think it propor to cite a letter of that kind the hon. Member would not be out of Order. To interrupt the ordinary Business of the House in this manner is out of Order.

Mr. DILLON: Mr. Speaker, I only desire to say that I have already spoken in the debate, and I shall have no further opportunity of taking the course you have suggested. One would have thought that this matter came under the usual courtesy extended to Members in cases requiring personal explanation.

Mr. SPEAKER: I wish to point out that it is not a question of courtesy. It is an irregular proceeding, and if irregular proceedings of this kind were constantly allowed the Business of the House would very much suffer.

ORDER OF THE DAY.

PREVENTION OF CRIME (IRELAND) BILL.—[Bill 157.]

(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

SECOND READING. ADJOURNED DEBATE.

[SECOND NIGHT.]

Order read for resuming Adjourned Debate on Question [18th May], "That the Bill be now read a second time."

Question again proposed.

Debate *resumed.*

Mr. SEXTON said, it became his duty to oppose this Bill being now read a second time. To any man who had a brain to think and a heart to feel it must be matter for serious consideration and sad reflection that at the end of 700 years of British supremacy over Ireland and at the end of more than 80 years of undivided Parliamentary rule the Government found itself yet in the shameful position of being obliged to resort to coercion and the suspension of liberty in order to compel the Irish people to obey its laws. Here were two small countries situated close together, and shut away by the ocean from the rest of the world, and yet such was the incomparable incongruity between the races, or such was the unhappy inaptitude of the Government of Ireland, that at the present day they were as little able as Henry II. was to reduce the Irish people to obedience and order by the ways of justice and of law. The code of the present Government of Ireland appeared to have two articles. In the pursuit of a factitious symmetry they had thought it necessary that these articles must run side by side. One article was repression, the other was conciliation. So far as he had been able to discover in the history of English rule in Ireland, she had always, except at the earliest periods, depended upon two articles. At the earliest period she depended on one, and it was brute force, pure and simple. The next development was a policy compounded in proportions nearly equal of force and fraud; and it would now occur to everyone listening to him, no matter what were his political opinions, that that combination described the manner in which the Act was passed which handed over to that Assembly the Parliamentary destinies of Ireland. The next development was the one before them—a policy compounded of force and conciliation; and he never could cease to regret that the right hon. Gentleman the present Head of the Government, when he came into power, had not the courage to face the Irish people with one article—a policy of conciliation alone. He, in a moment unwise for himself, unwise for his Party, unwise for Liberal rule, accepted the dictation of his political opponents, and abased himself before the demands of those who sought his destruction, and whose best hope was that they might induce him to forge the weapons which they should use against the liberties of the Irish people. If the right hon. Gentleman did not perceive it now, if he would not perceive it before the close of his career, which he (Mr. Sexton) hoped might be long prolonged to the honour of himself and to the good of the country, some other statesman must perceive before long that the policy of the English Parliament for the Irish nation must consist of one article only—that it must be a policy of what that Assembly termed conciliation, but which he preferred to term justice. The day of that policy was coming, perhaps it was hastened by the hideous and fatal mistakes of the present moment; but that the day of that policy had not yet arrived they had sad and ample proof in the Bill before them. Why did the task devolve upon them of considering this unexampled Bill to-day? Was it immediately because, or in any sense because, of a widespread state of things in Ireland affecting the condition of the whole community? He denied that the fact was so. This Bill rested mainly upon one lamentable and deplorable act—the assassinations in the Phœnix Park. Would any man tell him that if these assassinations had not been committed they should be considering this Bill to-day? Hon. Gentlemen would bear in mind that the Government in express terms gave their assent to anticipations of the future, which placed remedial measures in the forefront of Irish legislation, and allowed the question of coercion to be contingent upon the experience of remedial legislation. Bearing this in mind, and shutting out of consideration the deplorable, unexampled, and horrible act in the Phœnix Park, would any hon. Member question his statement, that but for that tragedy this Bill would not now be before them? The policy of conciliation, so far as the right hon. Gentleman had developed it by the release of "suspects," had already borne fruit. The face of society had become comparatively peaceful; and all of them, Delegates in that House of the Irish people, and feeling a deep and fervent interest in that people's welfare, were then entitled to hope that ere the end of the Session had come near, and it became necessary to discuss the question of Coercion, it should be undeniably seen, even by hon. Gentlemen whose political prejudices led them to look upon coercion as the only sure weapon of Government, that nothing in the state of Ireland following upon the policy of release entitled the Government to resort to the musty and mediæval weapon of coercion. The assassinations in the Phœnix Park—a dark and desolate page in the history of his unfortunate country—were an act which no laws could have averted, which no sagacity could have foreseen—were an act for which the Irish people, even if they had not made before the world an unparalleled outburst of pity and rage, could never have been held responsible. So long as men were found ready to risk their lives either in the gratification of their passions or in the assertion of their principles, the most stringent and the most ingenious laws were brought to a standstill in their regard. And while these laws might possibly serve to punish, they certainly could not prevent. If it were true, as he believed, that this Bill rested upon that deplorable act, then never in the history of the civilized world had such a Bill, dealing with the lives, the liberties, the fortunes of a people, in a spirit of the most unrestricted despotism, been rested upon such a basis. He, of course, acknowledged that the storm of rage which swept over England—[Mr. GLADSTONE: No, no.]—well "rage" might not be the word; but he would say that the storm of passionate emotion which swept over England after the news of those dreadful assassinations made the position of the Government extremely difficult. He knew it was difficult for the Government, in presence of such an exhibition of national feeling—irrational though he thought it with regard to the Irish people—to avoid the appearance of activity in the direction of repression. He knew that while this feeling applied an impulse to the Government, it also offered them a temptation; but he thought that if one other influence had not been at work in the direction of this Bill, even the assassinations in the Phœnix Park would not have sufficed to produce it—and that one other influence was the man who had lately vacated the Office of Chief Secretary for Ireland. If he were to endeavour to compress into a phrase the secret of that right hon. Gentleman's disastrous part in public life, and of his unparalleled failure, he would say it arose from a passion strong and permanent in human nature—the passion of vanity. That right hon. Gentleman went to Ireland, believing in his power immediately to set everything right, believing that he should carry all before him. He found difficulties in his way. He had not the patience to encounter those difficulties with a calm and equable spirit. He fell in with tellers of untruth. They flattered him, and he fell into their hands. He did not acquaint himself directly with the opinions and wishes of the Irish people. His mind became deluded by the official class in Ireland, and he, in his turn, with a degree of self-consciousness, misled his Colleagues of the Cabinet. They perceived now more fully than he (Mr. Sexton) thought they should perceive at this early stage the truth of the representations which the Irish Members made a little time ago. When he said that the assassinations in the Phœnix Park alone would not have produced this Bill, his meaning was that they would not have induced the Government to introduce this measure if they had not been aided by the state of feeling produced by the forces of the right hon. Gentleman, by his irritating, causeless, meaningless application of the Coercion Act; by his misleading of his own Colleagues, by his evasive answers in the House, and by his delusive memoranda; by the art with which he so represented the facts of Irish political life as to convey erroneous impressions to the minds of the English people, and by a course of conduct in that House which so exasperated the relations between the House and the Irish Representatives as to have the effect of exasperating the relations between the Irish and English people. When the assassinations occurred in the Phœnix Park, to intensify that exasperation the ground had been prepared by the right hon. Gentleman for the seed of fresh coercion to be sown. He could not pass from the subject of the deplorable assassinations without saying how much he could wish—of what good augury it would be for Ireland and England, if public men—if statesmen—had accepted that catastrophe in the noble and heroic spirit of the bereaved lady from whom that tragedy took away "the light of life." If there was one gleam of comfort for the Irish people in this gloomy situation it was to be found in the fact, perhaps trivial, but certainly satisfactory, that the right hon. Gentleman the Member for Bradford, who had proved that he could neither conduct himself with discretion in Office nor with dignity out of it, no longer occupied a seat on the Front Treasury Benches, and that his talents were likely to shine from a back bench for the remainder of his Parliamentary days. Last year the Government procured a Bill which dispensed at one stroke with all the protection which the Irish people had of their liberty. It placed the liberty of any man in Ireland at the discretion of officials—there was no jury, there was no evidence, there was no Court. That Bill had been in operation for a little over a year. The

Government had arrested under it about 1,000 men. It had been stated in express terms, over and over again, that the last Coercion Bill was intended for the prevention of crime. It was actively and laboriously used by the right hon. Member for Bradford. Yet under its operation, taking away, as it did, from the accused the jury, the witness, and the Court, crime had not decreased, it had developed and multiplied. This Bill did not propose to take away from the accused all the protection which law and custom offered him. Of the three securities which he had mentioned this Bill took away only the juror; and with what reason—seeing that the Bill of last year enabling the Chief Secretary for Ireland to arrest any ill-doers of his own motion failed to put an end to crime—the Government could persuade themselves that this Bill would have any effect in stopping crime when their Executive had lost the drastic powers they possessed under its predecessor, he could not understand. He would like to know how Lord Spencer, who would not have the same power as the right hon. Member for Bradford, and who could not dispense with the Court, the witness, and the jury, would be enabled to seize those evil-doers who had eluded the right hon. Gentleman? They were asked to trust Lord Spencer. He marvelled at the childish character of that suggestion. Perhaps, if coercion were entirely new, they might be inclined, just as they say in Ireland, "To oblige you." They might be inclined for once to trust him. He (Mr. Sexton) knew a considerable deal about Ireland, and all he knew about Lord Spencer was that he was considered a good horseman, and he was not aware of any further extraordinary claims he possessed upon the public confidence. When anybody asked him (Mr. Sexton) to trust Lord Spencer or any other man, either English or Irish, or any collection of men, with the liberties and the fortunes of his people, and the lives of men accused of crime, he would reply that despotic power would corrupt the best man that ever lived by its very down-drawing and corrupting influence, and if Lord Spencer were an archangel he would refuse to trust him with it. The right hon. Gentleman the Member for Bradford, whose frank and somewhat rough appearance of honesty was characteristic, when he first appeared at the Table of the House, spoke pathetically of his inexperience of Ireland, and asked them to trust him, and he really believed that some of them did trust him. [Mr. HEALY: Oh, no.] But when we saw that the Act confided to his care to put down crime was not used for that purpose, was not for a moment made effectual for that purpose; when we found it used deliberately to prevent the Representatives of the Irish people from so co-operating as most speedily, conclusively, and inexpensively to test the value of an Act of Parliament; when, spurred on by jealousy and fear, he turned all the weapons of that Act of Parliament against the Representatives of the people, and against men whose only crime was a sense of the public interest, how could we trust any man in the future? He would not trust any man, Lord or Commoner, with the powers proposed by the Act, no matter who administered it. He was interested last night to hear the new Chief Secretary for Ireland state that Government existed for personal and political liberty; but this Bill would bring political action in Ireland to an end and extinguish individual freedom. He listened with interest to that speech; but he was sorry to say that that interest, he would not say had vanished, but it had certainly diminished before that speech was over. It was an evil sign that the hon. Gentleman, whose ability and courage he admitted, appeared already, after a lapse of one short week, to be enamoured of the permanent officials of Dublin Castle who had been the ruin of so many Chief Secretaries before him. He had listened to the speech of the hon. Gentleman for some word of sympathy for the sufferings of the people—for some word of advice, or for some word of restraint of those owners of property who had so much power over the happiness of the people. He waited for some sign that the hon. Gentleman had a heart to feel as well as a brain to think; but, he was sorry to say, his speech was dry and cold, and that he went through his figures and his statistics of outrages and evictions in as unconcerned and unsympathetic a manner as if he had not left the Department of the Admiralty and was dealing with the tonnage or the capabilities of some of Her Majesty's ships. The hon. Gentleman gave them two sets of figures, and he marvelled what he meant to prove by the set of figures which had connection with outrage. He proved that in the years immediately preceding the Land Act of 1870 outrages rose in number, and that when the Peace Preservation Act was passed they decreased. He would, however, ask the Premier, who was concerned in the passage of both those measures, whether he had not attributed the decrease of outrage more to the Land Act than to the Peace Preservation Act? [Mr. T. P. O'Connor: He has said so several times.] And for the five years after the passage of the Act of 1870, before the chicanery of the landlords and their lawyers had minimized its value, outrages fell. Then came seasons of distress, and the outrages again increased, as was shown by the figures of the Chief Secretary for Ireland. But the most marvellous fact of all—the one naturally passed over without much emphasis by him—was that although outrages increased from 1876 to last year, the very greatest increase of all was during last year, when the Coercion Act was in force. What was the moral to be drawn from these figures? He believed it was a double one — that just laws, in the sense of remedy, which would convince the people that the law was their helper against wrongs and their friend against oppression, were the most powerful engines against outrage; while, on the other hand, the most fruitful and powerful stimulant to every kind of crime and outrage was coercion. He then gave them a second set of figures, in which there was a remarkable gulf. He gave the particulars of every sort of crime, giving the number committed and the number of verdicts found by juries; but he did not tell them in how many cases the police had made arrests, or how many criminals had been brought before the juries. He (Mr. Sexton) claimed for the jurors of Ireland as thorough and as honest a discharge of their duties as the jurors of any country. Why was it that the right hon. and learned Gentleman the Home Secretary, in his speech on the introduction of this Bill, did not offer them some figures—some facts, some statistics—worthy of a deliberative Assembly, to convince them that the juries had failed in their duty? Even Mr. Justice Fitzgerald, the most excellent Judge on the Irish Bench, complimented the juries in the South of Ireland recently; and it was noticeable that, after the last Winter Assizes, there was all through the British Press an acknowledgment and admission that the juries of Ireland had not laid themselves open to the reproaches levelled against them in former times. He had not heard that any fault was found with the conduct of the juries at the Spring Assizes, and if it was to be found, it had not been mentioned in this debate; and certainly, before taking so extraordinary, so grave a step as removing the right of trial by jury, that House ought to claim the most complete and exact proof that they had failed in their duty—and up to the present moment of such proof there was not a single vestige. If the House wished to know why crime was not punished in Ireland, he would tell them. The first reason was that agrarian crimes, like many crimes that were not agrarian, and that were not detected, were secret in their character; that they were committed stealthily and furtively in the dead of night, and in lonely places, without a warning and without a witness. Such crimes would defy the most expert police, and the most orderly community, to detect; and, apart altogether from agrarianism and any special movement, there were in Ireland every year several classes of ordinary crime—such as incendiary fires, arsons, and so forth —the perpetrators of which no police could discover, and in which no arrests or convictions could be obtained in Ireland, or in any other country, for the simple reason that they were secret and furtive in their nature. The second reason for non-detection was because they allowed laws to continue in Ireland which the people felt to be oppressive. The only way completely to put down outrage in any community was by making the people feel that the law was on their side. Of course, it was a great thing to attack the conscience of a people; but the great motive power was this—to attack their sense of self-interest. Self-interest was the dominant power in all the actions of man, as in the actions of political Parties; and if they, by making laws in the interest of the people, showed the people that the law was their protector and their helper, they would put a power in their hands which would follow them where the Lord Lieutenant's warrant could not, everywhere, every day of their lives, and which would suppress outrage. They heard last night that the Preamble of this Bill had been proved. That was a large assertion. That Preamble was an extraordinary collection of assumptions and fallacies. With regard to the Bill itself, the back of it contained such an array, such a phalanx of legal talent, as he supposed was never seen before. It was said that in the multitude of counsellors there was wisdom; but it seemed to him that, in this case, in a multitude of lawyers there was confusion. He read in the second page that if an appellant established want of jurisdiction in the Special Commission Court, the Court of Criminal Appeal might quash the proceedings. A little further on in the Bill he found that any offence which any person was believed to have committed in any place should be deemed to have been committed within a jurisdiction of the Court. He knew very little about that; but probably the gentleman who drew the Bill understood it. To give another example. In the Preamble the word "crime" occurred. He turned to the defining section, and found that the expression "unlawful association" meant an association formed for the purpose of the commission of crime or aiding in the commission of crime, and "crime," for the purposes of this section, meant any offence against this Act. Thus, an unlawful association was an association for committing crime; crime was any offence against that Act; and under the Definition Clause a member of an unlawful association was guilty of an offence under that Act. It was a crime to be a member of an unlawful association; that was the substance of the definition. The Preamble said—

> "Whereas by reason of the action of secret societies and combinations for illegal purposes in Ireland, the operation of the ordinary law has become insufficient for the repression and prevention of crime, and it is expedient to make further provision for that purpose," &c.

The House would observe the collocation of terms—"secret societies and combinations for illegal purposes." Of course, they were asked to trust Lord Spencer; but it appeared to him that anything more unrestricted than the power thus given to the Lord Lieutenant of Ireland could not be imagined. A few words about the Preamble. They legislated last year against an open society, and the Executive put an end to the Land League; but he had missed any evidence of misconduct on the part of jurors. He had missed any evidence that secret societies were rife in Ireland, or so rife as to call for such a Bill as this. The right hon. and learned Gentleman the Home Secretary smiled a smile, which he, no doubt, thought was worth a thousand arguments. If the Secretary of State had evidence of the existence of secret societies, he wanted to know what it was, considering that the House last year legislated against an open society, and rendered Constitutional agitation impossible; and the Government had their way, because, as that phantom Lord Lieutenant, Earl Cowper, said, the Government were determined to drive discontent under the surface—and here was the result. If the combinations for illegal purposes, against which this Act was directed, were open, what were they? The Land League did not exist, and it could not be an open association against which this Act was directed. What, then, was it? He was only acquainted with two associations existing in Ireland which had the slightest connection with the present movement—one of them was the Ladies' League, and the other the Political Prisoners' Aid Society. The Ladies' League was founded to protect from starvation and death by cold and exposure the victims of the laws which they still permitted to remain in the hands of the landlords. The Political Prisoners' Aid Society was founded for the purpose of providing, through the benevolence of the public, such food for the victims of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) as might protect them from injury to health and probable loss of life under the mild and benevolent form of detention which he had declared to be intended not for punishment, but for prevention. He wanted to know was the present Bill intended to operate against either of these societies? He maintained that their purpose was entirely non-political, that they were outside the sphere of legislative action of this kind; and before they trusted Lord Spencer they wanted simply to know what, in the mind of the Government, was the meaning and purpose of the Act. By the proposal to abolish trial by jury the Government had already placed themselves in a very embarrassing position. Three of the most eminent Judges told a Committee of the House of Lords last year that they were both unfit and unwilling to exercise functions of the kind which this Bill would impose upon them. The Irish Judges met yesterday in Dublin and agreed unanimously to a resolution that the carrying out of this proposal would injure the administration of the law in Ireland and impair the respect entertained for the Bench. So far as impairing the respect felt for the Bench was concerned, he did frankly say that the respect felt for the Bench by the mass of the people was a very uncertain quantity, and therefore it was rather difficult to determine to what extent it could be impaired. The question was, would the Government, against the will of the Judges, impose this function upon them? This was a Bill which arose out of murder, and by which they proposed to commit the trial for murder to three Judges. He told the House that if this Bill should be effective against anything, it would not be effective against murder. A tribunal of three Judges would not be an effective tribunal for the trial of that offence, because Judges were inextricably bound up in the traditions of the Profession; they could not divest themselves of their sense of the divided responsibility between the jury and the Judge; and if murder cases were brought before a tribunal of this kind he felt certain that the unanimous assent of the Judges required for a capital sentence would never be obtained, and that the Judges would never take upon themselves the novel and startling, the terrible responsibility which they proposed to cast upon them. It was proposed to cast upon them the responsibility of trying cases of treason or treason-felony; and he supposed this would also include the fanciful offence of treasonable practices, to which the right hon. Gentleman the Member for Bradford, who was fond of a good wide clause, to leave plenty of room for the filling up of warrants, was so much attached. Why was this charge of treason-felony brought under the Act? Why was the trial of treason in Ireland to be taken out of the hands of juries? The Attorney General for Ireland was asked yesterday by the hon. Member for Wexford (Mr. Healy) to state to the House how many treason cases had been tried in Ireland for the last 10 years, and in how many cases the juries had disagreed. In recent years there had been no trials of treason in Ireland. There were trials of treason there in 1865 and 1867, when numbers of men were convicted and sentenced to death or penal servitude for life. The juries of Cork and Dublin convicted those men. The Government had never failed to procure convictions for treason in Ireland on bringing forward any personal evidence; and, in the name of common sense and reason, he asked the House what was the meaning of the monstrous and grotesque absurdity of confining cases of the extremest gravity to a tribunal of Judges? Where was the shadow of reason for doing that when it could not be alleged that any case of treason had come forward in recent years, and that juries refused to convict on sufficient evidence? It was a curious thing that to the Lord Chancellor, the only Judge who did not hold his office for life, who was the servant of the Administration, and who was removed at the pleasure of the Government, was intrusted the power of fixing the rota—that was to say, the selecting the three Judges who were to set the example by which the others should be guided. He objected to the Judges altogether. The Judges of Ireland were not like the Judges of England—they were a body of promoted politicians. They were a body of men, either landlords themselves or closely connected with landlords, whose prejudices and sympathies set them altogether on one side, and that the side of one small class as opposed to the great mass of the people. Many of the Irish Judges reached their present position through politics. Many of them reached the Treasury Benches by breaking their pledges to the people, and, as he said, they were promoted politicians. He might refer to the right hon. Gentleman the Attorney General for Ireland, who was a very favourable type of the class. He had not been obliged to break any pledge in order to reach this House; but he was doing political service there, in his (Mr. Sexton's) opinion, against the interests of the Irish people. What was his conduct in the House? Why, there never was a more docile servant of the Administration. His expositions of the law were fearfully and wonderfully vague. If he did not find anything to suit him in the Statute Law, he fell back upon the Common Law; and, as circumstances changed and varied from day to day, the right hon. and learned Gentleman evolved from his inner consciousness suitable laws accordingly. If such things were done in the green tree, what would be done in the dry? With what fairness could the lives and liberties of men be placed in the hands of Officials of that stamp? This was also a creative Act, because it brought into existence, for the first time, a number of brand new offences. Turning, however, to the question of "intimidation," which the Attorney General the other day said was an offence at Common Law, but which was entirely unknown to the Common Law, he was compelled to declare that if the definition of intimidation in this Act were carried out to the full limit it was intended or anything like it, political and public life—and an hon. Member suggested private life also—was at an end in Ireland. Any word calculated to make any person apprehensive of danger or injury to any member of his family or household might be construed as intimidation, and the unhappy person who had used it might be handed over to the Brothers Lloyd, the magisterial roughriders from Zululand and British Burmah, who acquired in those foreign parts among savage and semi-savage people that conception of the rights of civilized people and that sense of magisterial duty which recommended them to the favour of the right hon. Gentleman the Member for Bradford. What was the meaning of the struggle for reform in any country but simply this — that there were some classes in the country who held vested interests detrimental to the good of the people? But under the Intimidation Clause of this Bill what reform movement could be pursued in Ireland? What vested interest could be attacked or what abuse condemned? Not only did they strike through it at the ordinary political rights of the people, but at the most valuable rights of the people—the mutual rights of the Representatives of the people to take action with their constituents. If there was a General Election in Sligo to-morrow, if his seat was contested, what questions would he find most prominent in the minds of his constituents? Would it not be matters relating to the Sub-Commissioners? Questions as to the necessity of a speedy development of the Purchase Clauses, of those having reference to the conduct of the Land Act, by putting upon the miserable bogs of wretched turf the price which the Sub-Commissioners had taken off the land? Suppose he denounced all these things, the cruelty of the landlords, the unrighteous rents, and criticized the unspeakable meanness of the landlords in putting on the turf what had been taken off the land. All this would be, according to the clause, putting the landlord, his family, and his property in fear and terror, and might also be construed into loss of business, or something of the kind. He stood upon the declaration that this clause would at once manacle and gag, and was intended to paralyze the Irish people, and to strike them dumb. Could the Government show that it would prevent nothing but illegal agitations? The clause made criticism a crime, and exposure of terrorism a felony. It made vested interests sacred, while efforts at reform would become treason. If the Government could show how it would work without putting an end to political life, and that under it their most cherished liberties would be sacred, let them do so. To descend to a smaller matter, it was provided on the same page of the Bill that an assault on a constable was to be an offence under the Act, whether it had relation to agrarianism or not. The person of a policeman was to be as sacred as that of a dervish in the East. The deed might be done in a drunken brawl. Nevertheless, the offender was to be at once hurried before officials like the military gentleman from Birmingham, whose word, to say the least of it, was as good as his oath. Or, perhaps, the unfortunate man might be taken before the military magistrate at Mayo, who delivered gunpowder speeches, and who had been remonstrated with by his superior officer. Those were the men who were to have the privilege of sentencing to six months' hard labour. [An hon. MEMBER: Without appeal.] This Bill denounced the man connected with an unlawful association as guilty of a crime, and the man who committed a crime as a member of an unlawful association. He should like to know whether the Prisoners' Aid Society and the Ladies' Land League would come within the definition of unlawful associations, the members of which were liable to very heavy penalties under the provisions of the measure? No fewer than seven general powers were given by this Bill, three of which would affect the person, and four the property of private individuals. One of those provisions rendered strangers liable to be arrested by the police, who, as a rule, were the greatest strangers in the district, being sent from the South to the North, and from the North to the South; and yet the strange police were empowered to arrest as strangers persons who were far better known in the locality than themselves. He would not further criticize the Bill, except to say that it was exceedingly strange and incongruous that, whereas the Bill gave the right of appeal from the decision of superior tribunals, there was no appeal given for the summary jurisdiction; so that a matter might be argued out with the greatest ability in a superior Court, and yet the decision be the subject of appeal. Was it intended that the Courts should sit in public or in private? The proceedings under the Act might be private. There was nothing in the Act to prevent it; but there was to be no appeal from the decisions of rash and inexperienced Resident Magistrates, who were for the most part either old soldiers or the broken-down scions of the aristocracy—men appointed, perhaps, for the reason given by Sidney Smith for the preferment of a clergyman—namely, because he was fit for nothing else. These men might sit in the daytime or at night, and in any place, and yet impose six months' hard labour, which, in the case of a delicate man, would mean a sentence of death; and yet there was to be no appeal. If there was to be an appeal for the higher tribunal, why not for those obscure tribunals? But the most dangerous part of the Bill was its retrospective character, and the restrictions it would place upon the Press. The Government were so entangled, it seemed to him, with their actions, that this measure was necessary to get them out of the mess. But the mere fact that the Act was to be retrospective showed that it might be used to gratify political revenge. The Bill would put an end to public and political life in Ireland, and he did not imagine that under it it would be possible for the Representatives of the people in the House to hold consultations together or with their constituents upon any public matter. He was not certain that the reasonable representation of the Irish people would much longer be possible in the House; and if they could not confer with those who sent them there or learn the opinions of their constituents, he was at a loss to understand what they would be there to do. They, however, would very speedily see by the administration of that Act whether it would still be possible for them to occupy their positions of standing between the Government and the people, and whether it would not be their duty and only course to steer out of the way from this desperate struggle which the Government were wilfully forcing on themselves. Let them and the people come face to face. He did not expect that this Bill, any more than those which had preceded it, would dim the spirit of the Irish people. Many measures of this sort had been tried centuries past; and however it might affect the Parliamentary course of the Irish people, that was only a small portion of the National cause. There were many ways of expressing the National cause, the National action; and he would state what was not a passionate or a futile hope, but what was a calm and intense fact, that a measure like this, conceived in obstinate prejudice and ignorance, and foredoomed ere it was passed to end in shameful failure, might delay the deliverance of Ireland, but would not impede it, and in the long run would make it more certain.

Mr. GLADSTONE: Sir, I attach the greatest importance to the expeditious progress of this Bill. I may be right or wrong in my opinion; but it is one which I hold very strongly, and which I hold in the interest, not only of the dignity of this House, but of the people of Ireland. It has been hoped, and I still cherish the hope, that this debate may close to-day. I trust that I am justified in regarding the lengthy speech of the hon. Member who has just sat down as one delivered by him in compliance with the mandates which he has received in reference to this matter, and, therefore, I do not make any complaint of the length of his speech. But as far as I am concerned, I think that I shall most promote the objects that I have in view by not delaying longer my appearance in this debate, which, I am afraid, is a necessity, and by restricting my observations as far as possible after the example of the right hon. Gentleman the Chief Secretary for Ireland, and the right hon. and learned Gentleman the Secretary for the Home Department, in introducing this measure. I will, however, make one general observation upon the speech of the hon. Member who has just sat down. A very large portion of it has consisted of criticism upon the details and the very language of the Bill down to the minutest point. I am far from questioning the right of the hon. Member in the course of a debate upon the second reading of a Bill to criticize every line, every word, and every letter of it. There is no doubt about that; but there is a very great question about the discreet use of it. If Bills are to be discussed with this pitiless examination, this pitiless inquest into these details, we know very well what the effect is. Nothing is saved for the Committee; but great time is lost upon the preliminary stage, and the natural consequences follow in the impediment of Public Business. It is the question of the spirit in which these discussions are to be conducted—are they to be conducted with a desire fairly to take the judgment of the House upon them; or are they to be conducted with a desire to magnify and prolong every debate that may take place upon the several stages? ["Oh, oh!"] I beg pardon. I have said it is a question whether it is to be so used. Surely that is important. If I had been permitted, I was about to say that the whole of the debate which I heard yesterday filled me with the hope that a more judicious and temperate course was intended to be taken; and that I will still say. I admit that I heard many heated expressions fall from the hon. Member for Westmeath (Mr. T. D. Sullivan); but I am afraid that it is a necessity of his nature that when he rises in this House his expressions should be of a warm character. At all events, so it was; but the remarks of the hon. Member did not give me to understand that it was intended that there should be an unduly prolonged debate upon this Bill. I feel called upon to notice two striking arguments which were made use of by the hon. Member for Tipperary (Mr. Dillon). The hon. Member, in referring to the question of Irish juries, differing in some degree from the speech to which we have just listened, admitted that in Ireland juries had returned verdicts which were against the evidence in certain cases; but he said that the same thing could be said of English juries. [Mr. DILLON: To a certain extent.] I said in certain cases. I am not here to assert with mathematical precision that no such thing has happened in England; but I am here to assert that I believe when it has happened it has generally happened in this way, that means questionable and in themselves unwarrantable have been used for ends which were not unfavourable to the public welfare. But is the abuse of the jury system, which the hon. Member admits has occurred in Ireland, one that can claim a similar excuse? Well, Sir, we have heard figures cited with which I will not trouble the House. The hon. Gentleman who last sat down says no evidence has been given of the failure of the jury system, and he relies upon the case of the juries at the Winter Assizes. [Mr. SEXTON: The Spring Assizes.] The hon. Gentleman relied upon the case of the Winter Assizes positively, and on that alone. With respect to the Spring Assizes, he said he had not heard any discussion upon them. At the time of these Winter Assizes we, on this Bench, were too glad to hail and welcome the symptoms of what we thought improvement. Not here alone, but the right hon. and learned Gentleman the junior Member for Dublin University (Mr. Gibson) referred with every satisfaction to the hopes he had derived from those Winter Assizes. I am sorry to say these hopes have not been refreshed or sustained by what has taken place. The hon. Gentleman says that evidence ought to be given, and that evidence has not been given in the course of the debate. I believe my right hon. Friends have abstained from details, simply because there are some cases which are believed to be cases of notoriety, and not to require specific testimony to sustain them. If specific testimony is wanted, as the hon. Gentleman has referred with commendation to the opinion which Judge Fitzgerald uttered in regard to the general principles of the jury system, will he take the evidence of Judge Fitzgerald, and other learned Judges in Ireland, who have borne testimony, within a very recent period, to the failure of the jury system in Ireland, so far as regards agrarian offences? And, Sir, that is not the case in very small offences merely; unfortunately, it has risen to very high matters indeed. Let me take the question of intimidation, and suppose that to be one of the minor offences to which the hon. Member for Tipperary referred. If that be so, am I to be told that such intimidation—not trivial intimidation, but intimidation in furtherance of the object of illegal combinations, intimidation which does not express the silly and foolish wish of an individual, but the set purpose of large and powerful bodies of men—am I to be told that is one of the objects, beneficial to the public welfare, for the sake of which we are to look with tolerance and indulgence upon the failure of the jury system? No, Sir; the case is, unfortunately, directly the opposite. So far as juries have failed in Ireland—and I rejoice that it is not in every class of crime they have failed, but only in agrarian cases—but so far as they have failed, I am afraid their failure admits of no such apology or extenuation as that which may possibly, though insufficiently be alleged of the failure of juries in other parts of the United Kingdom. The hon. Gentleman says that this Bill will put down the Land League, and that the Land League will revive when the Bill expires. Why should this Bill put down the Land League? If the Land League have in view simply the purposes which were professed in its original prospectus, so far as I can at the moment recollect them, I am not aware of any reason why the Land League, whether wise or unwise, politic or impolitic, should not exist. I am afraid that was not the meaning of the hon. Member for Tipperary; but that, seeing in this Bill, what he was justified in seeing, a measure intended to put down all intimidation arising out of the action of bodies of men joined together to ruin their fellow-countrymen for the fulfilment of their legal duties and obligations—I am afraid it was chiefly on that account that he complains of the operation of the Bill and said that, until this Bill expired, the Land League could not revive. If that be so, I only say that, deeply as I regret that the hon. Gentleman should entertain such views of political right and morality as appear to me involved in such a proposition, he himself must feel that the very statement of them on that footing is a statement which, more than any other, will at once recommend the passing of the Bill to the vast majority of the House. The hon. Gentleman who has just sat down (Mr. Sexton) says that for a long time the government of Ireland by England meant only force, and that afterwards it was a mixture of force and fraud. I will not enter into a contest with the hon. Gentleman about the sad history of the past. I am afraid that I am too much in concurrence with him as to its general character to begin such a contest; but he went on to the period of the present time and said—

> "What I wish is that, instead of that dual creed which you now profess of conciliation combined with force, you would get rid of one article of your creed and adopt as your motto for Ireland conciliation alone."

But the just mind of the hon. Gentleman led him to correct himself, and he mended what was defective in this statement.

Message to attend the Lords Commissioners;—

The House went;—and being returned;—

Mr. Speaker *reported* the *Royal Assent to* several Bills.

PREVENTION OF CRIME (IRELAND) BILL.

Question again proposed, "That the Bill be now read a second time."

Mr. GLADSTONE, resuming, said: I was coming, Sir, to the observations of the hon. Member for Sligo, to the effect that we ought to have only one article in our political creed, and that article should be conciliation; and he went on to speak of that article of conciliation as rather one of justice. Sir, I quite agree with the hon. Member—the article of justice satisfies me perfectly; but I must remind the hon. Member that it means justice to all and to everyone. Unfortunately, this includes the use of force for the punishment of evil-doers, and the praise of all who do well. If the hon. Gentleman asks me whether I place my reliance chiefly upon force, or on what he has termed conciliation, I answer him that I place my reliance undoubtedly upon the removal of the causes of discontent, infinitely more than upon mere force. But, Sir, that is a necessary part of our duty which cannot be overlooked. The hon. Gentleman says—and there again I agree with him—we must show the people that the law is their protector and helper, and trust to our showing this to bring them to the side of law. I agree; but then I must show that to all sections of the people, and among these I am bound, not least, to show it to those who, during the last autumn and winter especially, have suffered most cruelly, for not only the exercise of their legal rights, but for the performance of their legal and personal duties. So much for the general principles upon which we act. As to the remark made upon the conduct of the right hon. Member for Bradford, I can only say that during his tenure of Office he enjoyed the perfect confidence of his Colleagues; that he had their cooperation; that they shared his responsibilities; and no part, either small or great, do they seek to shift from themselves upon him. The hon. Gentleman says—and I refer to this not in a spirit of controversy—indeed, as far as I can command and control myself, the last thing I desire is to treat this Bill in a spirit of controversy at all—he says this Bill rests upon one outrage. Permit me to say that that is a great mistake. The hon. Gentleman went on to do a gross injustice to the people of England. The words escaped his mouth of "the storm of rage" which passed over England on the announcement of the horrible massacre in Phœnix Park. The hon. Gentleman afterwards qualified this; but still he said it was a storm of emotions unjust to Ireland. Never was the hon. Gentleman more mistaken. He may have been led by one or two shameful manifestations of feeling, shameful in a degree that I cannot trust myself to describe, assigning to the people of Ireland the guilt of this massacre, and expressing the belief that it was the true utterances of their opinion. But for the people of England, let me say that there have reached me, down to the present time, about 600 addresses and references to myself, all of them proceeding from more or less public bodies, and a considerable number of them from Ireland; but I think not less than 500, perhaps in proportion to the population, from this side of the Channel, and out of these 500 there are not five—I do not know that there are two—I am not sure there was one—that spoke the language of wrath and resentment, for their universal exhortation was an expression to the Government of the urgent hope that they will persevere in their policy and do strict and full justice to the people of Ireland. I am quite sure that by attempting this correction of what I believe to be an involuntary error on the part of the hon. Gentleman, I shall not offend him; but he will be rather glad to give me his acknowledgments for it. Never in my life, I am bound to say, have I seen a nobler attitude spontaneously assumed by a great people than in the case of their manifestation, when the nature of the act that had been done would not justify—far be it from me to say that—but would, in some degree, have excused, or, not unnaturally, would have prompted an expression of very different sentiments. The case, as it comes before us, is this. We see in Ireland, it is admitted, a great prevalence of agrarian outrage. We cannot but take into view the non-detection of agrarian crime as a heavily aggravated feature. We now have in operation an Act of invidious and offensive character, which is to expire within no long time, and which it is our desire, if we can do it compatibly with public duty, to let that Act die a practical and natural death, even before it legally shall die. Consequently, we propose a Bill which is not, in our view, a Bill of resentment. It is not a Bill against a nation, at least in its intent. If hon. Gentlemen can show, when we come to the Committee on this Bill, that it has that character, the point is one that we shall be ready to discuss in a fair and impartial spirit, on details as they may arise. It is a Bill of substitution; and it is a Bill substituting an action that will be public, that will be in great measure judicial, and that will be throughout responsible for action which, unfortunately, could not be, and has not been, responsible at all in the effective and ordinary sense, because, although Gentlemen were entitled to call Her Majesty's Government to account under the Act now in existence, yet they did not possess, and they hardly could possess, from the very nature of the case, the means of making their charges effective, even from their own point of view. Well, this Bill was not founded upon the recent outrages. I may say that I took one of the very earliest opportunities of expressing my own belief, after the occurrence of this horrible outrage, that it was one, the effect of which would be even perhaps more deeply felt and more keenly acknowledged in Ireland than elsewhere. But I must not shut my eyes to the facts. No facts have occurred to induce me in the least degree to qualify that declaration. I adopt the sentiment of the hon. Gentleman himself with regard to it. But I have, along with the existence of agrarian outrage, and with the general failure of detection and punishment, to connect another circumstance. I could not hear without acknowledging their justice the words of the right hon. and and learned Gentleman the Member for the University of Dublin (Mr. Gibson), when he pointed out last night that in this case there was a car; there was a horse, there was a driver, there were four men, apparently peculiar in their appearance; there was daylight, there was a long distance traversed, there were the environs of a great city, there were thoroughfares penetrating into the environs of the great city, traversed by this car, and horse, and driver, and four men, so that many must have been witnesses, in whose power it must have been to give information which, if received in series, could not but have led us to a point far more advanced towards the detection and punishment of this outbreak than we are at now. What, in cool blood and perfect impartiality, is the minimum of fair inference for this fact? My inference is that, to some small extent—and I believe it to be infinitely small—there may even be sympathy with this abominable crime; but that also, beyond the limits of that sphere of sympathy, there is a wider sphere of terrorism, and the knowledge of the terrible nature of the motives that have actuated the criminals themselves does operate powerfully as a strong intimidation against many men in Dublin and its environs, who would have been ready to give information that they must possess, but who have not, under the circumstances, given that information. But let me say that this terrible crime is not vital to the consideration of the Bill—that it is not this one outrage which has produced the Bill. I may make this admission to the hon. Gentleman who has said that we agreed to proceed with remedial measures before proceeding with measures to strengthen the law. I think he is inaccurate. I do not remember any pledge of that kind; but this I do recollect and freely admit, that after the release of the three Members of Parliament we did think it highly desirable, considering the state of feeling, and if the course of events permitted it, that a few weeks should elapse before proceeding to legislate for Ireland. But after this dreadful act—and this is the sole weight that has been given to it—it became impossible to proceed in that way. It became absolutely necessary to proceed with this Bill at once. I think the hon. Gentleman, in the interior forum of his mind and conscience, will see that I am justified in what I say, that however patient and kindly the state of public sentiment in this country may, be it would not have endured, and ought not to have endured, the postponement of the subject after that tragedy; on the contrary, that it would have insisted on the Bill being proceeded with forthwith. It was not, however, this tragedy itself. It must be recollected that before that tragedy public feeling had been greatly excited by two horrible murders—the murder of Mr. Herbert and Mrs. Smythe. But neither is that the main reason for this Bill. I declare for myself and for my Colleagues that in our view the main basis of this Bill, and the motives which influenced us to bring it forward and press it on with all the energy we can muster, were not special regard for persons of rank and station who, unhappily, have become victims to the fury of criminals; it is much more the regard which we have for the misery that has been carried far and wide among the body of the population. Outrage has been committed in every form—in some quarters perhaps lighter—but in every form, even the most cruel and extreme. It is this which has so many victims within its grasp. It is this that has lain at the very root and foundation of our conclusion that it was our absolute duty to legislate upon lines as Constitutional as we could, but in effective substitution for the Life and Property Protection Act now in force, for the sake of the people of Ireland themselves. I will not follow the hon. Gentleman in the remarks that he made upon the details of the Bill. In a Bill of so many details, I am quite prepared to say that it is possible that some criticisms may be very useful; and, indeed, there are even matters, to which, however, I think I had better not now allude, in which we ourselves have arrived at the conclusion that some improvements may be made. Two things only I wish to say before I sit down; for I am most anxious to avoid any lengthened trespass on the time of the House, and I am most anxious also, if I can, to maintain something of a judicial tone in dealing with this subject, and to avoid whatever can tend to exasperate or to wound. There is a relation between this Bill and the Bill for dealing with arrears in Ireland.. The hon. Member does us neither more nor less than justice when he says that we associate these two Bills. They are, in fact, living members of the same policy. They are, in our view, inseparable one from the other. With regard to the Bill before the House, we must earnestly press it with dispatch through the House, not with any desire to restrict the rights of any portion of the House, but with a deep conviction of what is expedient. With respect to this Bill, we feel that it would be idle to carry it forward, idle to pass it into law—it would convict us of total ignorance of our own duties and position—if we did not pass it on its main lines unaltered. That is our intention; 'and so far as it depends upon us that is what we shall do. I am bound to say that I cannot quite concur in one remark made by the hon. Member for Roxburghshire (Mr. A. Elliot) last night, when he said that many speeches had been made from this side of the House which went to emasculate or destroy the Bill. The most stringent criticism I heard from this side, as far as my memory sustains me, was the speech of the hon. Member for the Tower Hamlets (Mr. Bryce); but the hon. Member for the Tower Hamlets, while he made some criticisms in which I cannot concur, and while he made some suggestions with reference to the desirableness of the separation of the Executive and judicial powers, and not laying too great weight on the action of the Lord Lieutenant, yet it must be observed that my hon. Friend himself did not question at all, but, on the contrary, he expressly defended, under the circumstances, the erection of the exceptional tribunal. He did not deny that an efficient law against such intimidation as I have described is required. He did not deny that there must be an extension of summary jurisdiction in Ireland. A person who admits these propositions goes a great way towards justifying the substance of this Bill. We desire to carry forward this Bill in relation to the Arrears Bill. It is not necessary for me to say what relative value I assign to the one and to the other. They are, in our view, inseparable. We cannot consent to be parties to the abandonment or to the essential impairing either of the one or the other; neither can we consent to be parties to the interposition of any delay that can be avoided. Our desire and intention is to ask of Parliament to apply itself, with one and the same energy—although necessarily, to some extent, in succession to one another, as absolute parity of proceeding is a thing impossible—with one and the same energy to expedite the Bills and pass them into law. That is one reason why I venture to hope the House may allow the second reading to be taken to-day. I do not know altogether what view may be taken with the Bill dealing with arrears; but different views might be taken in different quarters. As far as I know, not only the Irish Members who sit below the Gangway opposite, but the numerous Irish Members in this part of the House, are most desirous to expedite that measure. It would be a very great mistake if it should happen that if there is any portion of the House averse to the Bill, those opponents should receive any justification, any warrant, any excuse for the attempt to impede its progress—of course, I do not object to any opposition in fair discussion—by any unnecessary and untimely discussion of this Bill. I hope hon. Members will excuse me for the delivery of what may be called a gratuitous and an officious instruction to hon. Members upon the discharge of their duties. It is at least well intended. The Bill is not conceived in any Party spirit. It is founded upon one principle, to which I have alluded during the last anxious weeks—namely, a desire that we may meet the difficult crisis as becomes sound-hearted men and loyal citizens, and that we may say nothing, and may omit to say nothing, that could possibly be injurious to the great Imperial policy and popular interests which are at this moment, perhaps, more than ever involved in the wise, right, and temperate conduct of the House of Commons.

MR. PARNELL: I am sorry, Sir, that the right hon. Gentleman the Prime Minister should suppose that there is any intention on our part to offer any unfair or unnecessary opposition to this Bill. It is not my intention, nor do I believe is it the intention of my hon. Friends, to oppose the Bill in any way unfairly; but I wish to point out that this is a Bill of a very wide and sweeping character. It proposes to make an alteration in the whole Criminal Judicature in Ireland upon lines which are almost unprecedented even in the sad history of our country; and not only so, but it involves other consequences of a most far-reaching and extended character which none of us can foresee at the present moment. And although I do not wish to object to the desire of the right hon. Gentleman to obtain a second reading of the Bill to-day, I am bound to point out to him that the discussion which we have had upon this measure up to the present time, upon this most important stage, has been exceedingly superficial and limited. I would also further make this appeal. The right hon. Gentleman, yesterday, said he would feel it right to take the Committee stage of the Bill on Tuesday next. I think it is of the utmost importance that Amendments which it may be necessary to suggest as additions to, or alterations in, the Bill in Committee, should be of a practical and well-considered character; and if we are impelled, in this hurried fashion, into the Committee on a Bill of such scope as this, I do not see how it is possible for us to avoid the presentation of a mass of matter which may be more or less superfluous and unnecessary, and with which we might have no great desire to take up the time of the House. I hope the right hon. Gentleman will be able to see his way to give us a little further time for the consideration of the Amendments which we may deem it our duty to move in the Committee stage of the Bill. As regards the Bill itself, I will only say that I believe, to the fullest extent, in the good intentions of the right hon. Gentlemen the Prime Minister and the Chief Secretary for Ireland (Mr. Trevelyan). I believe they do not intend, through this Bill, to injure the liberties of our people. I believe they intend only to use it against crime. But we have heard the same thing before. We have heard the same words from the lips of every Minister of the Crown who, since the Union, has presented a Coercion Bill for Ireland to this House. I admit that, perhaps, the intentions of many of them were not the same as those of the right hon. Gentleman; but Coercion Bills for Ireland have always been presented to this House with the same expression of a desire to preserve public and private liberty which have accompanied the presentation of this Bill on the present occasion. The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) told us he knew the persons against whom the Bill of last year was to be used; but we know what was the result, and we cannot conceive how it is possible that any other result can follow the working of the present measure. We do not believe any man is good enough or noble enough to be intrusted with the liberties of a whole people. The Chief Secretary for Ireland and the Prime Minister have said that they do not intend to do this and they do not intend to do that, and that they wish to use the Bill in a certain way; but I wish to point out, however, that the Bill leaves it absolutely in the power and at the discretion of the Executive Government, the Representatives of the Crown, and the police to do what they please as regards the repression of any right, private or public, or any Constitutional action whatever. With the best intentions, we believe that, sooner or later, the Chief Secretary for Ireland is bound to be perverted and destroyed by the evil counsels which have reduced the right hon. Member for Bradford to his present position. There is in Ireland an official circle which represents the minority—a very small minority—the class of landlords whose traditions are saturated with evil; and it is utterly impossible for anyone, however strong or however imbued he may be with the principles of liberty, to resist the influence and avoid the action of that class for any considerable period. It therefore comes to this. When we are asked in this Bill to surrender everything into the safe-keeping of the Lord Lieutenant and the Chief Secretary for Ireland—in resisting that we are entitled to call, as a witness to what is likely to happen, the experience of the past, and to ask whether the nature—whether the very nature—of the case does not render it impossible that our apprehensions should not be well defined? Now, Sir, what does the Bill do? It gives the right to the Judges to try and deliver sentence upon cases of treason, treason-felony, murder, firing at the person, manslaughter, and some other offences of a grave though diverse character. In other words, it puts political offences and horrible crimes upon one and the same footing. I do not mean to deny for a moment that political offences are not greatly entitled to your consideration, and that you should obtain whatever guarantees you can, or may think proper, for their prevention; but I do deny that you are entitled to choose your Judges and your executioners for the infliction of these sentences from the very class of our political opponents against whom we have been fighting in Ireland for so many years. The right hon. and learned Gentleman the Attorney General for Ireland, at an early period of the Session, amused the House by attempting to prove against me a charge of constructive treason, founded upon passages in my speeches. The right hon. and learned Gentleman, I hope, some day will be a Judge. All I can say is that I trust he will not be one of the Judges upon a tribunal to try me for that offence; for I fear that if he did his duty, as he supposed he was doing it when he was making the speech in question, he would give me a very short shrift and a very short day. I mention that as a practical example of one of the reasons why I am naturally disposed to view this Bill with apprehension. The late Mr. Isaac Butt told me once that it would not be possible for any of us to commit any graver offence in the eyes of the law than sedition, because, he said, it was impossible for a public speaker to be indicted upon his speeches alone for any higher office than sedition or seditious libel. The hon. and learned Gentleman was a lawyer of great skill and experience; but I regret to find that the judgment of the right hon. and learned Gentleman the Attorney General for Ireland does not coincide with his, and that the right hon. and learned Gentleman considers it is possible for public speakers to be guilty of the crime of constructive treason. Any public speaker in Ireland who hereafter ventures to make a speech will have to do so with the fear of the right hon. and learned Gentleman before his eyes, in his future position— which I hope he will attain, and which he thoroughly deserves—as a Judge. Now, I pass to the offences against the Act, and I must protest against the course pursued by the framers of the Bill in reference to this part of it. Not only do you provide special tribunals for the trial of offences, which are offences already provided for according to the ordinary law of the land, but you create a special offence, and constitute special tribunals for the purpose of trying that offence. You create the offence of constructive intimidation, and you make it of such a wide character that it is absolutely impossible for any person to do or say anything in Ireland, no matter what his intentions may be, without running the risk of being sent to prison for six months with hard labour. Now, I did not object very much—certainly I was willing to undergo the kind of imprisonment to which I have been subjected for the past six or seven months; but I certainly think that our local political Leaders in Ireland ought not to be called upon to stand the risk which would be entailed upon them by that clause of this Bill. Imprisonment with hard labour in Ireland is little short of slavery. We had in Kilmainham some 60 or 70 convict prisoners, and I saw how those men were treated. I saw how they were half starved to death. I saw how, with their stomachs empty, they were worked like galley slaves, and I saw the brutal way in which the warders of those prisons were trained and educated to treat those men; and I say I should not be willing to submit our local political Leaders to the prospect that is thus unfolded before them. I agree with my hon. Friend the Member for Sligo (Mr. Sexton), that under this Bill all public actions of any kind, whether the Land movement, or any other movement, no matter how Constitutional, must cease in Ireland until this Bill expires. It will be a matter for us of very great consideration, after this Bill is passed, as to what our future course should be, whether we will continue in public life any longer, or whether we should leave the question to the right hon. Gentleman to arrive at whatever solution may be arrived at. But, however that may be, it is our duty, I think, on the various stages of this measure, before it has received the assent of the House, to point out these matters to you, and to show you the reasons why we fear that, although you may attempt to strike at assassins, you will in reality be striking Constitutional liberty. I had hoped that the Land League movement, with the passage of the Arrears Bill, and with the prospect of further alterations in the Land Act of last Session, of a just and equitable character, might very shortly have emerged from the state of vehement agitation and activity into a more placid and, perhaps, a more reasonable condition. For my part, I should not have objected to such a solution of the questions. We have been contending against the right hon. Gentleman for the last two years. We have found him to be a great, and a good, and a strong man. I think it is no dishonour to us to avow that he has fought us in a way we should not wish to be fought again by anybody in the future. And I regret that the event in Phœnix Park has prevented him from continuing in the strength of that course; and that, owing to the supposed exigencies of his Party, or of his position in that course, he has felt himself bound to turn aside from the course of conciliation, justice, and concession into those horrible paths of coercion which you have often trod before, by which your statesmen have always failed even to reach that which they put before themselves when they first started, and which, I fear, on the present occasion, will lead to much greater and graver dangers than those of the past.

Mr. BROADHURST said, he could not allow that opportunity to pass without expressing his opinion that many of the provisions of the Bill were altogether too stringent, and of a nature which many Liberal Members of the House could hardly support. He referred especially to Clauses 4, 13, and 14, the clauses dealing with intimidation. He had had some experience of the law which defined what intimidation consisted of; and he had no hesitation in saying that, under those clauses, it would be almost impossible for one person to sneeze in the presence of another, without making himself liable to the charge of intimidation. He especially objected to the portion of the Bill which proposed to deal with the right, or rather the total suppression, of public meeting. In proceeding on the line of the suppression of public opinion in Ireland, they were pursuing one of the most fatal courses that could be adopted towards that or any other country. He also regretted the attempt which was directed against the liberty of the Press. Any opinion which might be put into any leading article in those newspapers might be expressed in this House, and reported by those newspapers, and no Government could prevent their publishing them. He also objected to the exceptional powers which were given to the magistrates with regard to the imprisonment of witnesses. If he voted for the second reading of that measure, he would only do so with the firm determination to exercise all the power he might have in Committee to cut it down, to make it more reasonable, and, therefore, more calculated to attain the objects at which it aimed. He did not believe the public opinion of this country had ever demanded anything of this kind. He believed the proposals in the Bill were far in advance of public opinion in this country, and that if the proposals in the Bill were submitted to the great electoral body of this country they would oppose them by an overwhelming majority. They had applied coercion long enough; they were not satisfied with the results; and he could have wished the Government to have adhered firmly to a policy of kindness, of consideration for the opinions of the Irish people, and to have seen what would have resulted from carrying out such a policy for 12 months.

Mr. HEALY said, he must presume that there was no intention on the part of the Government to diverge from their course in reference to arrears; and, if so, he thought such a course on the part of the Government would lead to no concessions on that side of the House, because, when they remembered that weeks, and even months, had not been considered too much last year to spend in discussing the last Coercion Bill, which was of a less stringent character than this, it was too much to expect them to go through the second reading of the present one after only a day and a-half's debate. As the Prime Minister had failed to give any promise to the hon. Member for the City of Cork (Mr. Parnell) that, if the second reading of the Bill were carried, full opportunity would be given for the consideration of the Amendments, the right hon. Gentleman could not expect that the Bill would be allowed to pass through its present stage without ample discussion. The Prime Minister had complained that the hon. Member for Sligo (Mr. Sexton) had spoken on the measure an hour and a-half; but when the magnitude of the interests involved in the Bill were considered, he (Mr. Healy) did not think anyone had a right to complain that a Member had occupied an hour and a-half in speaking upon it. The Bill gave power to Major Clifford Lloyd and Co. to give six months' imprisonment to anybody. If the Government intended to use this Bill fairly, let them discharge Major Clifford Lloyd, Major Bond, the harassers and freebooters now interfering with the rights of the people, and then the Irish Party might be able to place some confidence in them when introducing this Bill. The Bill would be used for the purpose of putting down agitation; and the right hon. Gentleman the Prime Minister had observed that it aimed at the suppression of crimes committed against people for discharging their legal obligations. He (Mr. Healy) asked what was supposed to be, in the popular mind, the prevailing sin in Ireland? It was the taking of land from which a tenant had been unjustly evicted. Was that a legal duty or obligation? It was in order to safeguard land-grabbers that the Bill was brought in. This Government, or any Government, would never eradicate from the minds of the Irish people that it was a crime both against God and man, in the present condition of Ireland, where land was life, for a man to take land from which another man had been unjustly evicted. [*Laughter.*] The Secretary of State for the Home Department smiled; but would he allow him (Mr. Healy) to tell him a fact which might strike him as strange in this matter? In Donegal, where land-grabbing had been going on to the greatest extent, if a man went to a priest and confessed that he had taken land from which another had been unjustly evicted, that priest would refuse to give that man absolution. He mentioned that as a proof of the feeling, not only political and social, but religious, with which that crime was viewed in the minds of the Irish people. He said that though a man might be legally entitled to take land from which another man had been unjustly evicted, the man who did so deserved the severest social ostracism with which he could be visited. It was viewed as a crime by the people of Ireland, and he believed it must also be a crime in those regions where British law was very little considered. The right hon. Gentleman had also stated that he for one was willing to accept the definition of the hon. Member for Sligo as the basis of the policy upon which the Government would proceed towards Ireland; but he (Mr. Healy) himself had no belief in English good government in Ireland. The only people who ought to derive benefit from the Government in Ireland were the Irish people; but all that England had done there had been done to serve the ends and meet the emergencies of English Party politics. That was naturally the case since England held Ireland in her power. Justice to Ireland meant regarding English Party necessities and English interests, and nothing but that governed that Government, or any English Government, in its dealings with Ireland. The right hon. Gentleman spoke of the Act of last year as an Act of an invidious character; but it was too late to say that now. When they (the Irish Members) denounced it last year, it was spoken of by the Government in terms of praise; and he was surprised that, at the eleventh hour, the right hon. Gentleman, in introducing the present Act, was not ashamed to denounce the Act which he had formerly spoken of with so much satisfaction. Charges had been made against the people of Dublin because the perpetrators of the recent murders had not been discovered; but he (Mr. Healy) would say that the people of Dublin were eager to give up the murderers to justice. ["Oh, oh!"] He defied anyone to deny that. The right hon. and learned Gentleman the junior Member for Dublin University (Mr. Gibson) said that because a horse and car and four men remained undiscovered, that was a disgrace to the people of Dublin; but everyone who knew the Phœnix Park was aware that the traffic was considerable, and that it was not unusual to see four men driving through it; therefore, it was not fair to cast reflections upon the people because these four men had not been discovered. The right hon. Gentleman the Prime Minister had said that this Bill was drafted before the murders; but the right hon. and learned Gentleman the Secretary of State for the Home Department had said that the noble Lord the late lamented Chief Secretary for Ireland had gone over to Ireland with the flag of peace and conciliation in his hand; and yet they were told that, at that very time, the Bill was in preparation, and that it was to have been introduced by the late Chief Secretary. He (Mr. Healy) considered it was a libel on the memory of that noble Lord to say that a Bill of this kind could either have been necessary or possible. But the Prime Minister took a different tone, and said that an absolute necessity for the Bill had been created by the murders in Phœnix Park. That showed it had been brought in to suit Party exigencies, and on account of the state of public feeling in England; no regard had been shown to Irish sentiments. He would like to know whether it was intended that the Arrears Bill, which formed a branch of the policy of the Goment, should proceed stage by stage with the present Bill? He thought that the passing of a good Arrears Bill would stop outrages, because the people would then have no fear of being evicted on the roadside. Such a measure would do far more towards establishing peace and order than this Coercion Bill, which, indeed, would only excite irritation and tend to promote crime. Let them look at the opposition that had been threatened by the Tory Party to the Arrears Bill. He thought the proper course for the Government to adopt was to proceed first with it *de die in diem*, and send it up to the House of Lords. When it was seen what they would do with it, the Irish Members would be able to judge what was their proper course in relation to this Coercion Bill. He did not know if they remembered the words used by Thomas Francis Meager in 1848—namely, that "within the shores of Ireland the English never shall have rest." Those words were just as true in 1882 as they were when they were uttered. In governing Ireland they must have the majority of the people with them. The people of Ireland hated and detested English rule as much as did the people of India, and England had no chance of keeping Ireland except by coercive legislation. Until they were given the power of managing their own affairs they would resist English rule. They were as determined as ever to assert their right to govern themselves in their own way, without any interference from foreigners, for as such they regarded Englishmen. They had now had 82 years of a joint Parliament for England and Ireland, and scarcely a year had gone by in which they had not had a Coercion Act for the latter country. The present Bill was not aimed at crime; it was simply a Bill to enable the Clifford Lloyds, the Burkes, the Hamiltons, and the other members of the ruling hierarchy in Ireland to ride roughshod over the Irish people, to maintain British law, to keep the English bit in the Irish mouth. Let them go on with that system. Perhaps some day they would not be able to keep up that system, and then the turn of the Irish people would come. Meanwhile, it behoved the Irish Members to expose to the country and to the world the tyrannical and mischievous character of coercive measures such as that now before the House.

Mr. A. GREY said, that there was a great difference between the present Bill, and the one of last year. Even the hon. Member for Sligo (Mr. Sexton) had admitted that the Bill introduced by the right hon. and learned Gentleman the Secretary of State for the Home Department was not so strong as the coercive measure passed last Session, because, while the Act of last year deprived a person who was reasonably suspected of having committed a crime of a jury, of a tribunal, and of witnesses, the present Bill only proposed to deprive the accused of the jury. He looked on that admission as a ground for hoping that the opposition to the present Bill, which only deprived the accused of trial by jury, would not be nearly so prolonged or so strenuous as that which was offered to the more objectionable measure of last year. The hon. Member for Sligo had endeavoured to draw the inference that the new Bill must be a failure, because the measure of last year had been a failure; but that did not at all follow. If the coercion of last year had failed, that did not prove that all coercion was wrong, but only that the right sort of coercion was not tried. Last year's Bill enabled Ministers to place in confinement persons who were reasonably suspected of a criminal offence, and it had been felt by hon. Gentlemen on both sides of the House that it was exceedingly objectionable to confine men in prison on reasonable suspicion of having committed a criminal offence, without giving them a chance of being heard. But the present Bill proceeded on a wholly different line, and only endeavoured to make it certain that crime should not be committed with impunity, and that those who committed crimes and those who obstructed the administration of justice should, after fair trial, meet with prompt punishment. He now wished to make a remark which he feared might not meet with the approval of all the Members on his (the Ministerial) side of the House. He had heard with great regret the Prime Minister declare that the Arrears Bill and the Prevention of Crime Bill were inseparable—that they were living members of one and the same body. He had heard that statement with great regret, because the maintenance of law and order he regarded as the first function of a Government. That duty was held by all our great political writers to be the first mission of every Government; and he confessed that he did not think it was quite becoming that the Prime Minister should state, in that solemn and earnest manner, to the House, that the passage of a Bill which, in the opinion of himself and his Government, was absolutely necessary to enable them to fulfil their first function—provision for the due maintenance of law and order—should depend upon a measure dealing with arrears—a measure about which there was not an unanimity of opinion even on that (the Ministerial) side of the House, and on which there remained a great deal to be said. He hoped that the Government would, under any circumstances, persevere in endeavouring to pass through the House a measure for the maintenance of law and order, which he believed to be absolutely essential to enable it to perform its first function, and that the enforcement of the law would not be rendered dependent on the passage of a Bill to which he would not now further allude, but on which he would, if he had the opportunity, make a few remarks on Monday evening next.

MR. STOREY: Sir, I hope that the hon. Gentleman the Member for South Northumberland (Mr. A. Grey) does not represent any large body of opinion on this side of the House. I do not understand why he should object to the Prime Minister telling the people of England that he regards the Bill dealing with arrears as equal in importance to one putting an end to the Constitutional liberties of Ireland. It is, no doubt, the duty of the Government to maintain law and order; but how can they better do so than by delivering the people from suffering and injustice? I have intended, for the last few days, to try and give the House, from a Radical standpoint, some views on the matter now before us. The debate, so far, has been noticeable in one respect. The hon. Gentleman the Chief Secretary for Ireland (Mr. Trevelyan)—whom, as a North-countryman, I welcome, as another North-countryman, into his most honourable Office—and the Prime Minister have placed before the House, in as admirable a manner as men could, the policy they propose for Ireland. Numbers of hon. Members on this side have, from different points of view, criticized or supported their policy, and hon. Members from Ireland—a few—and those in terms the propriety of which we must admit, have criticized the measure; but from the Benches over there no voice has been heard but that of the right hon. and learned Gentleman who represents the University of Dublin (Mr. Gibson). I am not far wrong, then, in assuming that what he said expressed the opinion of many hon. Members, if not of the whole Party, sitting there. And what has he suggested? His wish is that this Bill should be made stronger, and should be made to last longer. He proposes to make it stronger, by taking away some of the safeguards it bestows; and, in words which certainly sent a shudder through me, he expressed his distaste—the distaste of an Irishman—for he used a choice Hibernianism—for these "eternal temporary" Coercion Bills. Actually he, an Irishman, wished the law in Ireland to be permanently put an end to, and that Ireland should be governed by arbitrary measures. When a Representative of Toryism thus expresses his appreciation of arbitrary government, of course, one expects naturally that a Whig landlord, the scion of a Whig house, would rise on this side to express his concurrence, and to beseech the Government not to listen to any man on this side who wishes to emasculate this Bill. The words also of the hon. Member for Roxburghshire (Mr. A. Elliot) were that those who object to this Bill have not the opinion of the Liberals of England and Scotland behind them. That may be so, and I thank God in one respect if it be true. Last year when a few Radicals stood up and protested against the Coercion Act, they were twitted, and rather unworthily twitted, I think, by some who also call themselves Radicals, with being influenced by the fact that their constituencies contained a considerable element of Irish voters. If it could be said truly, or untruly, last year that we who oppose coercion now, and have at all times done so, were influenced by sordid motives, that cannot be said at all events to-day. I agree with those who believe that a large portion of the Liberal sentiment in the country will support the Prime Minister in the Bill he has brought forward, and I believe, too, that the men who dare to stand up and say now, as they have said at other times, that they object to the measure, will very probably bring on themselves the severance of many political friendships. I feel for myself that every word I utter loses me a vote. [" Oh, oh ! " *and* " Go on ! "] I understand hon. Gentlemen; but I can promise them that if I did go out in that way I should come back again. I feel that every sentence I complete digs, as it were, a grave in which many political friendships will be buried. You may believe we are wrong, but you cannot now doubt we are honest in our opposition. I hope I may be pardoned when I venture to tell the House that I disagree from Her Majesty's Government, and that I object to this measure. I object to it because I believe it will fail. Who say it will be a success? Her Majesty's Ministers? They told us the same thing last year of last year's measure, and yet, to-day, we witness the failure—as shown by the appearance of this new Bill. Who say it will fail? The Irish Members? They told us the same thing last year, and to-day they are accepted as true prophets. Nay, more than these tell us it will fail. History tells us so, for history does not contain the record of a Coercion Act that has been successful. I often think—[*Ironical cheers from Conservative Benches.*]—I am sorry hon. Gentlemen recognize that as an exceptional circumstance; I hope they will not judge me by themselves—I often think that if Englishmen honestly looked back on the Constitutional government of Ireland since the Union, they would display a great deal more modesty in the discussion of Irish affairs. For 80 years on either side of the House you have been seeking to govern Ireland. Whig and Tory, what have you done? How have you succeeded? Every measure that the Irish popular Party has asked for, you first of all denied, and finally granted. Every time you have brought in a Coercion Bill, they have denounced it, and, finally, you have had to admit its failure. And thus, after 80 years, you are placed in the position to-day, as the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) has told you, of having brought in the worst Coercion Bill ever placed before the public. [*Cries of* "Divide!"] I hold it will be unsuccessful, because it does not deal with the real difficulty of the case. If the Bill would capture the murderers who committed that diabolical murder in Dublin, or the murderers who committed the equally diabolical murders in the West of Ireland—the murders of Mrs. Smythe, of Mr. Herbert, and others—if it, in any way, would tend to the discovery and capture of the criminals, I would give it my support. It is a mistake, a great mistake, to suppose that English Radicals have any sympathy with criminals, and that they will not support the majesty and supremacy of the law just as much as Whig or Tory. But I do not believe that this Act will be successful in detecting crimes, and for this reason—it does so very little to meet the only great difficulty that exists in Ireland, and which the hon. Member for the Tower Hamlets (Mr. Bryce) has pointed out. But I will appeal to a greater authority than the hon. Member for the Tower Hamlets—to the right hon. Gentleman himself (Mr. Gladstone). He has not discovered only in 1882 what are the defects in the administration of the law in Ireland. On the 6th of January, 1881, the right hon. Gentlemen the Prime Minister described our chronic difficulty in Ireland thus—

> "Our justification for asking for such powers is, not that we have not sufficient police and military forces at our command—not that the stipendiary magistrates are unwilling to do their duty; . . . . not the difficulty, but the impossibility of procuring evidence."—[3 *Hansard*, cclvii. 114.]

Now, I ask, to what appreciable extent will this Bill help you to obtain this, so long as the people of Ireland labour under the conviction that they are under unjust laws, which they call on you to do away with? I was in hopes three weeks ago that at last we had entered on the right path. I never listened with more satisfaction to a speech than to that delivered by the Prime Minister—and though I have not been long in the House, I have heard his speeches more often than many older Members—but I never listened with more satisfaction to a speech of his than I did to that in which he, for the first time, I think, declared that his desire was to govern Ireland according to Irish opinion. In equally strong words, he stated that government by force was hostile to the British Constitution. What a fair vista was opened out to English Radicals three weeks ago; and yet now again, instead of advancing in that path, seeking the opinion of the people of Ireland, and governing by Constitutional methods, we are drawn back again on the old, worn-out, miserable road we have travelled so often in vain. Why so? The right hon. Gentleman rejects the idea that the plan has been changed because of the assassinations. I took down his words just now. He said it was then the intention of the Government to allow a few weeks to elapse before legislating for Ireland at all. He intended, he said, to go on with the *clôture.* Well, I cannot say I altogether like the *clôture;* but, certainly, this was a discreet policy on the part of the Prime Minister. He wished to let feeling in Ireland settle down. Will the Government tell us why? Was it not in their secret souls, if not in their open councils, that they intended to wait in the hope that things would so settle, that peace and order would so overspread the country after the "suspects" were released, that it would be possible—happily possible—to proceed merely with remedial legislation, letting the Coercion Acts expire without their being under the painful necessity of producing such a measure as this at all. I think I am right. ["No, no!"] Then more is the pity if I am wrong. [*Cries of* "Divide!"] I am sorry to stand between the House and the disposition to divide; but I may be allowed a few minutes longer, as I am sure to say something that nobody else will say. I have imperfectly shown to the House that I cannot vote for this measure—first, because I think it will not succeed; and, secondly, because I will have no part or lot in continuing methods of government that have heaped nothing but failure and disgrace on the people of England. This Bill is not prepared for the good of Ireland, but out of deference to the sentiments of the people of England. A Government could not last a week that did not bring in such a Bill; the present sentiment of the English people is such, and the feeling of hon. Members opposite is such, that if the Ministry had not brought in the Bill, they would have raised a loud cry that would have shaken the Government from their seats. How much longer are we to go on? [*Ironical cheers from the Conservative Benches.*] I am sorry the House is getting impatient with me; but the people of Ireland have much more right to be impatient with Members of the House.

MR. SPEAKER: I must call on the hon. Member to address himself to the Chair.

MR. STOREY: I was under the impression, Sir, that I was doing so; and, certainly, I so intended. I say I am not disposed to support the Bill, for I cannot give my vote in support of a system that governs Ireland merely out of deference to the state of English Parties and of English sentiment. An hon. Member lectured the Radical Party a short time ago because we were disposed, he said, to make Ireland the sport of Party. Now, the Radical Party is not open to such a charge. The Radical Party have had no such opportunity to make Ireland its sport, because the Radical Party have never been in power; but what has been the case is, the Whig and Tory Parties have made Ireland their sport, and from time to time have sought to get into Office by supporting or opposing measures for Ireland. I hold that if there had been a Radical Party, there had been no Coercion Act last year. If there had been 20 resolute men, firm in their convictions and determined in their opposition, joined with the Irish Members, there would have been no Coercion Act last year, and we should have no Coercion Bill now. "But," says the right hon. Gentleman the Member for Ripon (Mr. Goschen), "we must not make any compact with social revolutionists." Why not, if they are right? Why not make a compact with them? Whether he is right or myself, the whole question is not whether we choose to call them by certain names. If they be right, we ought to join and support them, no matter what the result. But Whig and Tory combine to pass Coercion Acts for Ireland, and between them Ireland comes to grief while we Radicals sit still. We screw up our courage to vote now and again against details; but we have not the resolution to declare—as we ought to declare—that the method of governing Ireland is rotten and bad, and only productive of mischief, and that the only successful method of governing Ireland is by Irishmen—men there are here. I will not speak of them there, on the opposite Benches, because I cannot trust them, or of these here, on this side, because I have never been able to discover if they have any opinions; but there are Irish Members in the House who have the courage of their opinions, and whom popular opinion has sent here, and I want to know will the House, some day, come to see that the true method of governing Ireland is to take the Members, in whom the people have confidence, and let them govern the country according to Irish ideas and for distinctly Irish purposes? I have only one thing more to say. The Prime Minister made a settlement of the affairs of the Transvaal. He did not, by that settlement, please some hon. Members in this House; but I will take the liberty of refreshing his memory and that of the House with one citation from his speech. He said—

> "With regard to affairs in South Africa—(South Africa mind, not Ireland)—the principle on which we act is this—that believing that there were certain demands upon us which were up to a certain point just, we determined to proceed on the principle of agreeing to these demands and conceding them at once, not in a haggling or huckstering spirit, not waiting for the chapter of accidents, not placing ourselves in a position when we would have had to yield to pressure or difficulty what we would be unwilling to yield to justice; but rather at once, when we had in the country an overwhelming force, sufficient beyond all doubt to compel submission, to put down all military resistance, to yield to justice a liberal interpretation."

How happy would it be for us—to put it on a lower level, how happy for the Liberal Party—if sentiments like these governed the Ministry in dealing with Ireland. What is our plan of governing? If Ireland complains, we close our ears. They complain more loudly, and we cry, "Trouble us not." Yet more loudly they cry out, and begin to agitate, and we say, "Here are these Irishmen at it again." They grow excited, and crimes begin to be committed by the more desperate among the population, against the wishes of their Leaders. Then, when this has risen to a height, when crime has come in to support political action, then, when the Government, Whig or Tory, has no other method of coping with it, it yields to force and pressure—ignobly yields, when it would have been better and more just to have listened to the demands of the people at first. I have not had many opportunities of speaking in the House, and it may be I shall not have many more; but I disagree with the hon. Member for Wexford (Mr. Healy), who often tells us he hates the House. I am an Englishman. I reverence the House and its traditions, as much as ever Whig or Tory did, and I am content, nay, I am anxious, that the House should grow in public fame and glory; but are you adding to its fame by continuing this method of governing Ireland by means of—first the rod, and then the sugar plum. I call on you to use a better method—trust the Irish people and the men they trust; give them sway in the land; and, whatever happens, we should be delivered from a condition of things which is discreditable to the freest Constitutional country in the world.

Mr. CHAMBERLAIN: Mr. Speaker, I do not rise, Sir, for the purpose of replying to the speech to which we have just listened, nor indeed to continue the debate; but I rise for the purpose of answering an appeal which was made at an earlier period of the afternoon by the hon. Member for the City of Cork (Mr. Parnell), and which has subsequently been pressed upon the Government by the hon. Member for Wexford (Mr. Healy). That appeal was made in very moderate terms and, I think, in a conciliatory spirit; and it is one, therefore, which the Government feel bound to consider carefully. The hon. Member for the City of Cork suggests that the Government should give some assurance that they will delay the next stage of the Bill beyond Tuesday, on which day they had previously stated it had been their intention, or rather their hope, that the Bill might be taken in Committee; and the hon. Member for Wexford suggests that we should take the Arrears Bill *pari passû* with the Bill which is now under discussion. The Government are very anxious, as has already been stated, to take every convenient opportunity for going on with the Arrears Bill. If any time whatever is at our disposal which can properly be employed for that purpose, we shall certainly be disposed to devote it to it; but we do not think that to say that in all cases and in all events the two measures should proceed *pari passû* with equal steps would conduce to the speedy passage of either measure. As regards the suggestion that the Committee upon the Repression of Crime Bill might be delayed, the hon. Member for the City of Cork states that if that were done, he thought it would enable the Party with whom he generally works to consolidate their Amendments, and thus effect a shortening of the discussion. Certainly, the Government do not desire in any way to prevent the fullest possible fair discussion of the clauses of the Bill. They require in a complicated measure of this kind a great deal of consideration, and the Government will welcome all reasonable discussion of its clauses. The Government, however, think it will be desirable to go on with our original proposal, and to go into Committee upon the Bill on Tuesday next, with the understanding that if the hon. Member for the City of Cork and his Friends find that the time is too short to enable them to put down all their Amendments, and if they should then make an appeal to us with regard to some particular clause, then the Government will be willing to consider such an appeal, and postpone the clause to a subsequent day. In the meantime, it appears to us that the hon. Member and his Friends will be able to put down sufficient Amendments for the discussion on Tuesday, and, in that way, we shall be able to proceed most speedily with this Bill; and, this Bill once disposed of, we shall go on with the Arrears Bill, which we regard as of almost equal importance.

MR. MITCHELL HENRY said, that he fully admitted that the administration of justice in Ireland required great strengthening; but that, he would remark, was a very different affair from saying that the interests of justice required that the liberties of the Irish people should be entirely suspended during the next three years. Until both sides of the House arose to the conviction that the Government of Ireland must have in it some element of the Irish nation, and must have in it an Irish Executive and some Representatives of the men who were sent to the House to represent the Irish people in Parliament, they would always be having Coercion Bills introduced. Upon that ground he had uniformly voted against the principle of coercion, and he would vote against this Bill. No doubt, the state of Ireland did require very serious consideration, and the law did require strengthening; but the strengthening must consist in administration, and in the belief of the people in the justice of the law. This Bill was not to be administered by the right hon. Gentleman at the head of the Government. It was not to be administered by the House of Commons. It would be administered by those paid individuals who were sometimes selected, as it appeared to him (Mr. Mitchell Henry), upon the principle of getting those who were least adapted to administer the law in that country. The consequence would be that they would have in every village in Ireland people unjustly stopped and arrested by the police. They would then have a repetition of those acts which followed on the passing of the Coercion Acts of 1871, and the time of the House of Commons would perpetually be taken up by questions raised in consequence of the administration of the law. Ireland was, at that moment, overrun with assassins. ["No, no!"] That was his opinion. He did not say it was the opinion of hon. Gentlemen opposite. He believed there was in Ireland a conspiracy of assassination which was pervading almost every part of the country. Therefore, he advocated the strengthening of the law. Yet he objected to the kind of tribunal that was to be brought into operation under this Bill, both as to the powers which the Bill would put in the hands of stipendiary magistrates, and to a great many other clauses, especially the Court of Judges in substitution of trial by jury. If they wanted to strengthen the jury system, why not adopt the Scotch jury system of verdicts by a majority; and why not allow the verdict of "not proven;" and why not give the power of interrogating the accused? There were not many countries in which justice was more impartially or more efficaciously administered than in Scotland. To adopt this Bill, which seemed to him to be martial law under the name of something else, was a thing he would have no part in. A successful measure should give power to interrogate prisoners as to their conduct, the giving of a verdict on the vote of the majority of the jurors, and the power to return open verdicts in the absence of evidence. [*Cries of* "Divide!"] He viewed with the greatest regret the hungry impatience of the House to vote on this Bill without any discussion at all, and he had never seen anything in his life so extraordinary as what he might term the demoralization of Irish opinion. Nothing had struck him so forcibly as the "sucking-dove criticism" of this Bill by hon. Members opposite. He certainly had expected some real discussion from them. He had been particularly disappointed in the speech of the hon. Member for the City of Cork (Mr. Parnell), who had just been let out of prison under circumstances which were creditable, possibly, to the right hon. Gentleman at the head of the Government, but which were very discreditable to the hon. Member himself. ["Oh, oh!" *and* "Divide!"] He felt it was useless to persist in opposing the Bill at present; but he should propose considerable Amendments in Committee.

Mr. CALLAN said, that, in the face of the recent Dublin tragedy, he felt it was only a matter of good taste to refrain from voting against the Motion for leave for the introduction of this Bill, which was of a most atrocious character. They all knew how much inclined the right hon. and learned Gentleman the Secretary of State for the Home Department was to draw the long bow; but even if that Bill were 10 times as severe—10 times as stringent or atrocious as it had been said to be by the right hon. and learned Gentleman—he would still have supported it, if it had been framed for the purpose of detecting and punishing crime. Instead of doing that, however, it would strike at the very Constitution of Ireland. He objected to the tribunal of Judges. They were to be selected Judges, and that was tantamount to what the Irish people called a "packed jury." He raised no objection to that part of the Bill which dealt with the suppression of secret societies; but he believed that the administration of the last Coercion Act had done more towards fostering secret societies than all the Fenian organizations in that country. The Lord Lieutenant already had the power to prohibit public meetings; and during the past six months he, or rather the Chief Secretary for Ireland, had, in *malice prepense*, prevented every meeting in Ireland, for however legitimate a purpose it might be. He (Mr. Callan) objected also to the general and undefined powers in regard to the detention of strangers. The clause with respect to newspapers gave more power to the police in Ireland than the French Act gave, even after the Orsini bombs explosion, and was open to serious abuse. They spoke of the efficiency of the police; but the police administration of Ireland was the most ignoble and inefficient that had ever come under his notice, and the administration of the past Coercion Act by the late Chief Secretary for Ireland had made his name, he believed justly, a name of evil memory in Ireland. The cause of the murders in Phœnix Park being allowed to be carried out was, he alleged, the thorough inefficiency of the Irish police and the withdrawing of all safeguards for protection. [*Cries of* "Divide!"] He knew what he was about; he did not wish to talk the Bill out, and would sit down before the division time came. He trusted that they would not go into Committee on Tuesday, and that before that time the fiery cross would be sent round, and that every Whig, Tory, and Home Ruler would be in his place, so that the Irish people could know who should be marked as black sheep. He hoped that every Irishman who was not in his place would receive at the hands of his constituents, at the earliest possible opportunity, political annihilation, Question put.

The House *divided*:—Ayes 383; Noes 45: Majority 338.

AYES.

Acland, C. T. D.
Acland, Sir T. D.
Agnew, W.
Ainsworth, D.
Alexander, Colonel
Allen, W. S.
Allman, R. L.
Allsopp, C.
Anderson, G.
Armitage, B.
Armitstead, G.
Asher, A.
Ashley, hon. E. M.
Bailey, Sir J. R.
Balfour, Sir G.
Balfour, J. B.
Balfour, J. S.
Baring, T. C.
Baring, Viscount
Barnes, A.
Barran, J.
Barttelot, Sir W. B.
Bass, H.
Bateson, Sir T.
Baxter, rt. hon. W. E.
Beach, rt. hn. Sir M. H.
Beach, W. W. B.
Beaumont, W. B.
Bective, Earl of
Bentinck, rt. hn. G. C.
Beresford, G. de la P.
Biddulph, M.
Birkbeck, E.
Blackburne, Col. J. I.
Bolton, J. C.
Borlase, W. C.
Bourke, rt. hon. R.
Brand, H. R.
Brassey, Sir T.
Bright, rt. hon. J.
Brinton, J.
Brise, Colonel R.
Brodrick, hon. W. St. J. F.
Brooke, Lord
Brown, A. H.
Bruce, rt. hon. Lord C.
Bruce, Sir H. H.
Bruce, hon. R. P.
Bruce, hon. T.
Buchanan, T. R.
Bulwer, J. R.
Buszard, M. C.
Butt, C. P.
Buxton, F. W.
Caine, W. S.
Cameron, D.
Campbell, J. A.
Campbell, Sir G.
Campbell, R. F. F.
Campbell-Bannerman, H.
Carington, hon. R.
Carington, hon. Col. W. H. P.
Cartwright, W. C.
Causton, R. K.
Cavendish, Lord E.
Cecil, Lord E. H. B. G.
Chamberlain, rt. hn. J.
Cheetham, J. F.
Childers, rt. hn. H.C.E.
Christie, W. L.
Clarke, J. C.
Clifford, C. C.
Clive, Col. hon. G. W.
Coddington, W.
Cohen, A.
Colebrooke, Sir T. E.
Colman, J. J.
Compton, F.
Corbett, J.
Corry, J. P.
Cotes, C. C.
Cotton, W. J. R.
Courtauld, G.
Courtney, L. H.
Cowan, J.
Cowper, hon. H. F.
Crichton, Viscount
Cropper, J.
Cross, rt. hon. Sir R. A.
Crum, A.
Cunliffe, Sir R. A.
Currie, Sir D.
Dalrymple, C.
Davenport, H. T.
Davenport, W. B.
Davey, H.
Davies, D.
Davies, R.
Dawnay, Col. hon. L. P.
Dawnay, hon. G. C.
De Worms, Baron H.
Dickson, T. A.
Digby, Col. hon. E.
Dilke, Sir C. W.
Dixon-Hartland, F. D.
Dodds, J.
Dodson, rt. hon. J. G.
Donaldson-Hudson, C.
Douglas, A. Akers-
Duff, R. W.
Dundas, hon. J. C.
Dyke, rt. hn. Sir W. H.
Earp, T.
Ecroyd, W. F.
Edwards, H.
Egerton, Adm. hon. F.
Elcho, Lord
Elliot, G. W.
Elliot, hon. A. R. D.
Elliot, Sir G.
Emlyn, Viscount
Estcourt, G. S.
Evans, T. W.
Ewart, W.
Ewing, A. O.
Farquharson, Dr. R.
Fawcett, rt. hon. H.
Feilden, Maj.-Gen. R. J.
Fellowes, W. H.
Fenwick-Bisset, M.
Ferguson, R.
Finch, G. H.
Findlater, W.
Fitzmaurice, Lord E.
Fitzpatrick, hn. B.E.B
Fitzwilliam, hon. H. W.
Fitzwilliam, hon. W. J.
Floyer, J.
Foljambe, C. G. S.
Folkestone, Viscount
Forster, Sir C.
Forster, rt. hon. W. E.
Fort, R.
Foster, W. H.
Fowler, R. N.
Fremantle, hon. T. F.
Freshfield, C. K.
Fry, L.
Galway, Viscount
Gardner, R. Richardson-
Garnier, J. C.
Gibson, rt. hon. E.
Giffard, Sir H. S.
Givan, J.
Gladstone, rt. hn. W. E.
Gladstone, H. J.
Gladstone, W. H.
Goldney, Sir G.
Gore-Langton, W. S.
Gorst, J. E.
Goschen, rt. hon. G. J.
Gower, hon. E. F. L.
Grafton, F. W.
Grant, A.
Greene, E.
Greer, T.
Gregory, G. B.
Grenfell, W. H.
Grey, A. H. G.
Gurdon, R. T.
Halsey, T. F.
Hamilton, I. T.
Hamilton, right hon. Lord G.
Hamilton, J. G. C.
Harcourt, E. W.
Harcourt, rt. hon. Sir W. G. V. V.
Hardcastle, J. A.
Hartington, Marq. of
Hay, rt. hon. Admiral Sir J. C. D.
Hayter, Sir A. D.
Heneage, E.
Herschell, Sir F.
Hibbert, J. T.
Hildyard, T. B. T.
Hill, A. S.
Hill, T. R.
Holland, Sir H. T.
Holland, S.
Hollond, J. R.
Holms, J.
Hope, rt. hn. A. J. B. B.
Howard, E. S.
Howard, G. J.
Howard, J.
Hubbard, rt. hon. J. G.
Inderwick, F. A.
Jackson, W. L.
James, Sir H.
James, W. H.
Jardine, R.
Jenkins, D. J.
Jerningham, H. E. H.
Johnson, E.
Johnson, rt. hon. W. M.
Jones-Parry, L.
Kennaway, Sir J. H.
Kingscote, Col. R. N. F.
Kinnear, J.
Lacon, Sir E. H. K.
Laing, S.
Lawrence, Sir J. C.
Lawrence, Sir T.
Lawrence, W.
Lea, T.
Leake, R.
Leatham, E. A.
Leatham, W. H.
Lechmere, Sir E. A. H.
Leigh, hon. G. H. C.
Leigh, R.
Levett, T. J.
Lindsay, Sir R. L.
Lloyd, M.
Lopes, Sir M.
Lowther, rt. hon. J.
Lubbock, Sir J.
Lusk, Sir A.
Lymington, Viscount
Macartney, J. W. E.
M'Arthur, A.
M'Arthur, W.
M'Clure, Sir T.
M'Garel-Hogg, Sir J.
Mackie, R. B.
Mackintosh, C. F.
M'Lagan, P.
Macnaghten, E.
Magniac, C.
Makins, Colonel W. T.
Manners, rt. hn. Lord J.
Mappin, F. T.
Marjoribanks, E.
Martin, R. B.
Maskelyne, M. H. Story-
Mason, H.
Master, T. W. C.
Matheson, A.
Maxwell-Heron, J.
Mellor, J. W.
Milbank, Sir F. A.
Miles, Sir P. J. W.
Monk, C. J.
Moreton, Lord
Morgan, hon. F.
Morgan, rt. hn. G. O.
Morley, S.
Mowbray, rt. hn. Sir J. R.
Mulholland, J.
Mundella, rt. hon. A. J.
Munts, P. H.
Murray, C. J.
Newdegate, C. N.
Nicholson, W. N.
Noel, E.
Noel, rt. hon. G. J.
North, Colonel J. S.
Northcote, H. S.
Northcote, rt. hn. Sir S. H.
O'Donoghue, The
Onslow, D.

Paget, R. H.
Paget, T. T.
Palmer, C. M.
Palmer, G.
Palmer, J. H.
Parker, C. S.
Patrick, R. W. Cochran-
Pease, A.
Pease, Sir J. W.
Peddie, J. D.
Peel, A. W.
Pemberton, E. L.
Pender, J.
Percy, Lord A.
Philips, R. N.
Phipps, C. N. P.
Playfair, rt. hon. L.
Plunket, rt. hon. D. R.
Porter, A. M.
Portman, hn. W. H. B.
Potter, T. B.
Powell, W. R. H.
Price, Sir R. G.
Pugh, L. P.
Pulley, J.
Raikes, rt. hon. H. C.
Ralli, P.
Ramsay, J.
Ramsden, Sir J.
Rankin, J.
Rathbone, W.
Reed, Sir E. J.
Reid, R. T.
Rendel, S.
Rendlesham, Lord
Repton, G. W.
Richardson, J. N.
Richardson, T.
Ridley, Sir M. W.
Roberts, J.
Robertson, H.
Rogers, J. E. T.
Rolls, J. A.
Ross, A. H.
Ross, C. C.
Rothschild, Sir N. M. de
Round, J.
Russell, G. W. E.
Russell, Lord A.
Rylands, P.
St. Aubyn, W. M.
Salt, T.
Samuelson, H.
Schreiber, C.
Sclater-Booth, rt. hon. G.
Scott, M. D.
Seely, C. (Lincoln)
Seely, C. (Nottingham)

Selwin - Ibbetson, Sir H. J.
Severne, J. E.
Shield, H.
Simon, Serjeant J.
Sinclair, Sir J. G. T.
Smith, E.
Smith, rt. hon. W. H.
Stafford, Marquess of
Stanley, rt. hn. Col. F.
Stanley, hon. E. L.
Stanley, E. J.
Stansfeld, rt. hon. J.
Stewart, J.
Summers, W.
Talbot, C. R. M.
Talbot, J. G.
Tavistock, Marquess of
Taylor, rt. hn. Col. T. E.
Tennant, C.
Thornhill, T.
Thynne, Lord H. F.
Tillett, J. H.
Tottenham, A. L.
Trevelyan, rt. hn. G. O.
Tyler, Sir H. W.
Villiers, rt. hon. C. P.
Vivian, A. P.
Vivian, Sir H. H.
Wallace, Sir R.
Walpole, rt. hon. S.
Walrond, Col. W. H.
Walter, J.
Warton, C. N.
Watkin, Sir E. W.
Waugh, E.
Webster, J.
Whitbread, S.
Whitley, E.
Wiggin, H.
Williams, S. C. E.
Williamson, S.
Willis, W.
Willyams, E. W. B.
Wilmot, Sir H.
Wilmot, Sir J. E.
Wilson, C. H.
Wilson, I.
Winn, R.
Wodehouse, E. R.
Wolff, Sir H. D.
Woolf, S.
Wortley, C. B. Stuart-
Wroughton, P.
Wynn, Sir W. W.
Yorke, J. R.

TELLERS.
Grosvenor, Lord R.
Kensington, Lord

NOES.

Biggar, J. G.
Blake, J. A.
Brooks, M.
Byrne, G. M.
Callan, P.
Collings, J.
Corbet, W. J.
Cowen, J.
Dillon, J.
Dillwyn, L. L.

Finigan, J. L.
Gray, E. D.
Healy, T. M.
Henry, M.
Labouchere, H.
Lalor, R.
Lawson, Sir W.
Leamy, E.
Lyons, R. D.
M'Carthy, J.

M'Coan, J. C.
Macfarlane, D. H.
M'Kenna, Sir J. N.
Martin, P.
Molloy, B. C.
Nelson, I.
Nolan, Colonel J. P.
O'Connor, A.
O'Connor, T. P.
O'Donnell, F. H.
O'Gorman Mahon, Col. The
O'Kelly, J.
O'Sullivan, W. H.
Parnell, C. S.

Power, J. O'C.
Russell, C.
Sexton, T.
Shaw, W.
Sheil, E.
Storey, S.
Sullivan, T. D.
Synan, E. J.
Taylor, P. A.
Thomasson, J. P.
Thompson, T. C.

TELLERS.
Power, R.
Redmond, J. E.

Bill read a second time, and *committed* for *Tuesday* next, at Two of the clock.

And it being now five minutes past Seven of the clock, the House suspended its Sitting.

The House resumed its Sitting at Nine of the clock.

ORDER OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

OPENING OF NATIONAL MUSEUMS, &c. ON SUNDAY.—RESOLUTION.

Mr. GEORGE HOWARD, in rising to move—

> "That seeing the success which has attended the action of Her Majesty's Government in opening on Sundays the National Museums and Galleries in the suburban districts of London and in the City of Dublin, this House is of opinion that the time has arrived for extending this action to all Museums and Galleries supported by National funds,"

said, that though the movement on this question had greatly gained in the country, that House had not been called upon to express an opinion since 1879, when the hon. Member for Leicester (Mr. P. A. Taylor) brought forward a Motion on the subject. The hon. Member was fond of leading forlorn hopes, and he might have been afraid that if he brought this question forward now he might have on his side a considerable majority. The matter, however, had been greatly argued out-of-doors, and in "another place," and he thought the supporters of the movement had every reason to be gratified with the result of the argument. The principal argument brought against the Resolution was, that they wished to secularize the Sunday, and, as it was called, destroy the religious character of the day. In trying to controvert these things, he did not need to dwell on the Sabbataiacal argument, because he did not think they should hear that it was a wicked thing to visit Galleries and look at objects of Art. It had often struck him that although the Founder of our religion probably said more on the superstition of the Pharisees in Judea on this subject than any other, this superstition had formed a large part in our religious observances in this country. That superstition, he thought, was a good deal diminished now; but although they did not hear the Sabbataiacal argument in its crudest form, they were told they wished to provide alternatives for religious worship on Sunday. His hon. Friend (Mr. Caine) had an Amendment on the Paper to the effect that such Museums and Galleries should not be opened before 1 o'clock on Sundays; and if that safeguard were added to the Resolution, which he would readily consent to, it would not be possible to maintain that they wished to take away the facilities for worship on Sunday. He came to the more important argument, that the opening of these places would diminish the character of the Sunday as a day of rest. It was quite true that his proposal would involve a certain amount of Sunday labour on the part of officials of different kinds; but the principle of Sunday labour by the few for the benefit of the many was already acted upon to a large extent, with the most beneficial results. Besides, it would be perfectly possible to make arrangements for allowing those who would be employed in Museums, &c., on Sundays to obtain an equivalent holiday in the week. If the opponents of this scheme went against the employment of any persons on Sundays, then he thought these opponents ought to go further, and, if they were consistent, they ought to move that the Museums and Galleries already open should be closed; because the suburban Museums already open employed a far larger number of men than would be required in large towns in the shape of railway officials, omnibus drivers, &c., engaged in the conveyance of the people for the City. He would give a few figures as to the relative attendances on Sundays and week-days. Last year the number of Sunday attendances at Kew was 411,512; the week-day attendances 425,116; so that the visitors on Sunday were nearly equal to the visitors on the other six days of the week. The smallest number of attendances on any one Sunday was 281; on any one week-day, two. On May 14 the number of visitors at Kew was 23,000. After that, he did not think anybody would be found to move that the suburban Museums should be closed, because it would be certain to be rejected by the House, and to create indignation out-of-doors. No doubt, they should hear the argument about this proposal being the "thin end of the wedge." This Resolution was the thick end of the wedge, The thin end was when the suburban Museums and the Museum at Dublin were opened. His Motion did not affect in any way the opening of music halls and other places called trading places of amusement. To open such places on Sunday it would be necessary to have separate legislation, which would meet, not only with the opposition of the highly-organized bodies who were opposed to his proposal, but also of those who were in favour of it. There was no chance of such a measure being carried. The hon. Member for Leicester (Mr. M'Arthur) said the opening of Museums on Sundays would be injurious; but his position would be much stronger if, instead of "would be injurious," they could say "had been injurious," and that where the custom prevailed it had led to the demand for the opening of all sorts of places of amusement. There had been no such demand in Dublin, and no desire had been expressed on the part of the inhabitants where such places were opened that they should be closed. The mention of Dublin brought him to Edinburgh, in this way. Several Scottish Members had asked him whether he proposed to include Scotland in his Motion. He wished, in putting forward his Resolution, to make it as general as possible, and to affirm a principle. Now, he had no authority to exclude in his Resolution the people of Edinburgh from the benefits which he asked should be conferred on the people of London; but if Scottish Members differed from him on the subject, he could see no objection whatever to their receiving from the Government that amount of Home Rule which Dublin had hitherto enjoyed. He hoped, however, that whatever the feelings of Scottish Members about Edinburgh, these would not induce them to vote against the liberty of the people of London. As things were, at present the only place anyone had to go to was the public-house. The churches were shut up for many hours on the Sunday. In Roman Catholic countries the churches were open all day for the purpose of worship, of rest, and of thought; but we were so fond of closing everything on Sunday, that we locked up our churches during several hours of that day. If the Local Option majority were in earnest they would support this Resolution, which, though it did not deal directly with the Temperance question, provided an attraction for the people on the day when the temptations to intemperance were the greatest. Some might say the right way was to shut up the public-houses altogether on Sundays. He was one of those people; but if they did shut up the public-houses, the demand for opening some other places would be far stronger than now. He had heard it said the working classes would not avail themselves of the privilege of going to these Museums and Galleries if they were open. He did not believe that at all. But there were others than the so-called working-classes, business men and clerks, who worked very hard, who, at the end of a day's work, would much rather go home than into the glaring gaslights of a Museum or Picture Gallery. Those people had a right to see the treasures of which they were joint owners on the only day it was convenient for them to go there. Some people said the opening of these places would give an encouragement to the employment of all kinds of labour for the purpose of money-making. He did not believe in a tendency of that kind, because everything was going in an opposite direction at the present time. Bank holidays had been established; shopkeepers and others gave their *employés* Saturday half-holidays; and Trade Unions had secured great advantages in these respects to their members. He did not think, therefore, that his Motion would be at all likely to be attended with that result. The hon. Member for Stoke-upon-Trent (Mr. Broadhurst) intended to suggest that Museums and Art Galleries should be open from 6 till 10 on three evenings in each week. That would not be a good arrangement; but, whether it would or not, it would be useless as a substitute for Sunday opening. He (Mr. Howard) was informed that the experiment of throwing open the Museum and Reading Room at Stoke-upon-Trent on Sundays was commenced in January last, and had, so far, proved a success; and that an increased attendance was expected in consequence of the loans made from the Collection at South Kensington. He congratulated the Vice President of the Council on the assistance he gave to that movement. The right hon. Gentleman had stated that the municipal Museums of Manchester and Birmingham were open on Sunday afternoon, and that he could not think of not making loans to them. But why should the people of those towns be more favoured than the people of London? There were several Collections in London on which they had a special claim. The Cartoons of Raphael, which had been taken from Hampton Court, where they could be seen on Sundays, were shut up at South Kensington, where nobody could see them. Again, the Sheepshanks Collection, which had been left with a special request that it might be open to the public on Sundays, was not visible on that day. Having quoted a passage written from Berlin by Mr. Cobden, in 1838, to the effect that the sober German thought his open Tivoli gardens and theatres better than the drunkenness and filth of an English labouring man's Sunday, the hon. Gentleman said that he did not ask for the opening of Tivoli gardens and theatres, but for something which would not only make the working man's Sunday more cheerful, but more elevating also. He hoped that by their vote they would enable the right hon. Gentleman (Mr. Mundella) to enable the public to see the treasures in South Kensington on Sunday. The hon. Gentleman concluded by moving his Resolution.

Mr. BURT, in seconding the Resolution, said, that its supporters were not innovators, but they simply asked the House to extend and carry out logically a principle which was already in partial operation, and which had proved very successful in the parts of the country where it had been tried. What reason could there be for objecting to the opening of the National Gallery, the South Kensington Museum, and the British Museum on Sunday, in addition to the other places already open on that day? It could not be alleged that there was anything irreligious or demoralizing in the works of Art and other objects in those Institutions. Many of them were distinctly of a religious caste—all of them were pure and elevating in their nature and character; and he thought, therefore, that to be consistent they ought to carry out the principle already recognized and adopted. It was urged that the opening of Museums on Sunday would add seriously to Sunday labour. He entirely sympathized with that objection, and he should certainly oppose anything which tended in that direction; but experience showed that, in proportion to the large numbers of people who were interested in viewing the works of Art exhibited in those places, the number of attendants required on Sunday was almost infinitesimal. The number of people who in 1880 visited the Galleries thrown open through the influence of the Sunday Society was between 17,000 and 18,000, and the highest number of attendants on any given day was five, though, on one occasion, 3,300 visitors were present. Last year upwards of 19,000 people visited the same places, and again the highest number of attendants was five, though the visitors, on one particular occasion, were between 3,000 and 4,000. That appeared conclusive in the direction of showing that very few attendants were needed to look after those who visited the Galleries on the Sunday. The Museums and Galleries had on those occasions been very much crowded, clearly indicating that there was a great demand on the part of the inhabitants of London for such advantages, while there was also evinced the utmost good behaviour on the part of all who were privileged to enjoy them. Reference had been made to the absence of Petitions; but though he was one of those who did not underestimate the value of Petitions, it was possible to overrate them. His experience went to show that the tendency was to restrict Sunday labour. It had been limited already, not through the action of the employers of labour, but of the workmen themselves, who probably, from economical and social, quite as much as from religious considerations, had a confirmed disinclination to Sunday labour, and in the future they would be quite able to protect themselves from any evils in this matter. There was evidence to show that the feeling of working men was in favour of this movement, for in every place in which a working men's club had been established, that club was open on Sunday. There was this encouraging feature about these clubs, that the working men members had voluntarily thrown aside the idle and frivolous, though innocent, amusements in which they indulged on the other days, and devoted their time to listening to lectures and to other solid methods of improvement. With regard to the Amendment of the hon. Member for Stoke (Mr. Broadhurst), as to opening Museums at least three evenings in the week, while he thoroughly appreciated the object he had in view, he quite agreed with the Mover of the Resolution in considering it as not an Amendment to the Resolution before the House. The proposition of the hon. Member could not be accepted as a substitute for opening the Museums on Sundays, because the great mass of the working men, after a long day's work, were scarcely capable of enjoying the works of Art exhibited in the Museums and Picture Galleries. Moreover, the best of the working men would like to take their wives and children to the Museums; but this they could not do at late hours in the evening. Then many people not ordinarily included in the term working men—such as clerks and shop-attendants, who worked during long hours at tedious occupations—would derive great benefit from the opening of these Institutions on Sunday. While he sympathized with the motives of those who, from religious considerations, took an opposite view upon this subject, he could not understand those opponents who looked with equanimity upon the opening of beershops on Sundays, while they opposed the opening of these National Institutions on Sundays; and he was glad to see that public opinion was gradually tending in the direction of closing these beershops on Sunday, while, at the same time, providing healthy and elevating places of improvement in their stead. He trusted that the House would support the present Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "seeing the success which has attended the action of Her Majesty's Government in opening on Sundays the National Museums and Galleries in the suburban districts of London and in the city of Dublin, this House is of opinion that the time has arrived for extending this action to all Museums and Galleries supported by National funds,"—(*Mr. George Howard,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. A. M'ARTHUR: Sir, I freely admit that my hon. Friends the Mover and Seconder of this Resolution are influenced by pure motives and good intentions. I hope they will give me credit for being actuated by similar motives, and by a sense of duty in opposing the Motion. My hon. Friends think that the adoption of this Resolution by the House would be a step in the right direction, and would do good. I believe it would be a retrogressive movement in the direction of a Continental Sunday, and would do harm. My hon. Friends believe that the policy which they advocate would promote temperance, and be a great advantage to the working classes. I contend that it would largely increase the consumption of alcoholic drinks; that it would be injurious to the best interests of the nation, and especially of working men. My hon. Friends inform us that the success which has attended the opening of Museums and Art Galleries on Sunday convinces them that the time has arrived when it is desirable to open all State-supported Museums and Institutions of the kind on the same day. I argue that the step proposed is unnecessary, that the time for it has not arrived, and, I hope, may never come. I do not deny that some measure of success has attended the opening of Libraries, Art Galleries, and Museums where the experiment has been tried; but it has not been the kind of success which the Sunday Society, or, as I think it should more properly be called, the anti-Sunday Society, profess to wish to achieve, for they profess to be most anxious to benefit the working classes, and to wean men from the public-house. Now, Sir, I doubt not many persons have visited these places of amusement or instruction that have been opened on Sunday; but if that fact is to be brought forward as an argument in favour of Sunday opening, then we have only to open the theatres, music halls, dancing saloons, and similar places, in order to see multitudes flocking to them. The same argument will hold good, and the numerical success of the experiment will be urged as a reason why we should proceed further in the same direction, until every bulwark for the protection of our English Sunday, to which we owe so much, is swept away. Again, if we look for the working men who were to be reclaimed from drunkenness and induced to enjoy purer pleasures and cultivate higher tastes, I am convinced that the attempts made, however well intended, have utterly and lamentably failed. I am assured by persons who have made it their business to watch the effect of Sunday opening of Museums and Art Galleries, and judge for themselves, that the vast majority of those who visit such Institutions on Sunday are persons who could, without much inconvenience, visit them equally well on week-days, and that the number of working men who attended is almost infinitesimal. Nor do I believe that even the few who attended have been weaned from the public-house; and my conviction is that not a single drunkard has been reclaimed, or ever will be reclaimed, by such means. Then as to the wonderful success which has crowned the zealous efforts of the so-called Sunday League and Sunday Society. I think a little investigation will prove, as I have already intimated, that it is more imaginary than real. Take Birmingham, for example—of which we have heard so much. It is said that the opening of the Art Gallery there has been a great success. Well, I find the average attendance during the past three years has been: In 1878, 942; in 1880, 749; and in 1881, 547. It is evident, therefore, that less interest is taken in what was at first regarded as an experiment; that the attendance is steadily decreasing; and that even the highest average attendance of 942 out of a population of upwards of 400,000 cannot be regarded as indicating success. I am also informed that in Manchester and other places a large proportion of those who attend are young lads or young men and girls, who spend their time in idle gossip, or in reading comic and illustrated papers, which they could read equally well at home. But what about the want of success? If so much good has been accomplished by this means, how is it that so few towns in the country seem disposed to accept the boon offered, or to take the advice of the Sunday Society? How is it that efforts made to open Museums, Libraries, and Art Galleries have failed in London, Salford, Leeds, Bolton, Leicester, Nottingham, and other places, while in some cases the proposal has been rejected by overwhelming majorities? I am aware statistics are regarded as tiresome and uninteresting; but I hope the House will bear with me while I give a few to prove the correctness of what I have stated. In 1879 an attempt was made to open the Guildhall Library. The motion was defeated by 104 against 34. Last year a similar motion was brought forward, and was defeated by 97 against 25, giving the larger majority of 72 in a smaller house. In Nottingham a resolution was brought forward in 1879 to open the Castle Museum on Sunday, and was defeated by the narrow majority of 3. In 1880 a similar motion was defeated by 32 against 24, giving a majority of 8, and in 1881 the motion was defeated by 34 votes against 8, giving a majority of no less than 26 against the opening of Museums, thus proving beyond the possibility of doubt that the feeling against Sunday opening had steadily and very largely increased. In Keswick the experiment of Sunday opening was tried for several years, and failed. In Maidstone, after an experiment lasting three years, the Town Council decided, by 16 votes against 3, to close their Museum and Library on Sunday. The results of Sunday opening were strongly condemned by the Mayor, and the Librarian writes, in answer to a gentleman who wished to obtain authentic information upon the subject—

> "We have a great many persons who visit this place continually; but that which I wrote was my first impression in the matter, which is now quite changed. I have given myself plenty of time to study the people who visit on Sunday; and I have come to the conclusion that the Institution is made use of simply for a meeting-house of young people (lads and servant-girls—these we are continually turning out), who never come to the place during the week, or very rarely, and care for nothing, The lads who go into the Library look at nothing else than *The Illustrated London News*, and it is very seldom anyone requires a book on any subject. I do not consider the place is made use of in a proper manner, and it does not serve the end which we might have expected. I was in favour of it; but I cannot support it any longer. Mind you this, if I thought it tended towards doing good, or that the people came to study and learn anything, I should continue to support the opening of the Institution; but my experience now teaches me better."

Now, Sir, if the truth were honestly told, my impression is that we would have a good deal of similar evidence respecting other places open on Sunday which my hon. Friends are authorized to represent as having been very successful. But, Sir, while I do not think men would be weaned from the public-house, I fear there would be weaning of a much more objectionable character. My conviction is that next to the ordinance of public worship, Sunday schools have done more to civilize, to benefit, to bless, and to promote good order, obedience to the law, and the moral, intellectual, and religious improvement of the masses than any other agency; and if Museums, Art Galleries, and similar Institutions are open on Sundays many young persons would probably be induced to go there instead of to Sunday school, and to form habits and make acquaintances that might be the reverse of beneficial to them. It is also argued that the course recommended by my hon. Friends would promote temperance. I hold, as I have already intimated, that it would largely increase the consumption of alcoholic beverages or drinks, for you must have refreshment stalls at which wine, spirits, and ale will be sold and largely consumed. If we require proof of this, we have it in the fact that the vast majority of publicans are in favour of Sunday opening, because they are well aware it will be to their advantage. When application was made for a music licence for the Surrey Gardens in 1875 it was stated that on 13 acres of ground there were no less than eight drinking bars, and free passes were given largely for the sake of profits on drinks. At Brighton it was stated that 14 persons were employed in the public-house department when the Aquarium was open all day on Sunday. I might give more statements of a similar kind to prove that, just in proportion as you open such places, you must afford facilities for obtaining drink and increase the temptation to take it. Again, it is asserted that much good and no evil results from the opening of Art Galleries and places of amusement on the Continent. Will the House permit me to read a short extract from a German paper to show the fallacy of this argument? The writer, after referring to the proper observance of the Sunday, proceeds—

> "We Germans, and we Schleswig-Holsteiners not the least, are, to a great extent, far removed from such a celebration of Sunday. The day of rest and of most elevated joy is too often robbed of its honour. The forenoon of Sunday is given up to work and the afternoon to pleasure. That which can elevate man is often despised, but that which degrades him is sought after. On Sunday the policemen reap their most abundant harvests; on Sunday children occasion the greatest anxiety; on Sunday evening, above all other days, does the wife anticipate the return of her husband with a foreboding heart. Drunkenness and riotousness celebrate their greatest triumph on Sunday; and most of the misdemeanours are committed on that day, or are intimately connected with the misuse of it. We turn, therefore, to our own countrymen with the urgent request that they would, in their various spheres, endeavour to procure for the Sunday a more honourable observance in our land. If the Sunday acquires a different character the national life will rest upon a securer basis. Wilhelm von Humboldt justly said that the future of our nation depended upon the observance of the Sunday. The Sunday question is not that of a Party, but the common cause of all who have the true good of the people at heart. Not merely the Church, but the State and the family as well, must demand and promote a right observance of Sunday."

Now, Sir, I think it is much to be regretted that, while thoughtful men on the Continent are anxious to remedy the evils and mistakes of the past, and avert the dangers of the future, some of our people are endeavouring to move in an opposite direction, and deprive many of their Sunday as a day of rest and enjoyment. As to the necessity for Sunday as a day of rest, I do not think it is necessary for me to say much. Even those who advocate Sunday opening argue in favour of one day's rest in seven; but they think that men compelled to work on Sunday might rest during some week-day, and thus secure compensation. This may seem very good in theory, but it could never be carried out on a large scale; and perhaps the best answer to the proposal is that large numbers of men who now work on Sundays seldom get even a holiday, much less one day in seven, to recruit their exhausted energies, for want of which many of them sink into premature graves. Almost innumerable proofs of this might be adduced; but there is one very striking illustration which I would like to mention; I believe I alluded to it on a former occasion, but not during the present Parliament. Hon. Members are aware that until very recently there were large tracts of country in Australia that had never been explored. Numerous attempts were made to cross the Continent and to ascertain the nature of those unknown regions, and there were many failures and some loss of life. A short time before I left the Colony, some 18 or 20 years ago, an attempt was made which it was hoped would prove successful, and one of the strongest parties ever organized for the purpose left Melbourne under peculiarly favourable circumstances. Camels were imported; a sufficient number of men and horses were secured; the leaders were men of great energy and considerable scientific attainments; ample stores were collected, and every provision was made to preserve the health and lives of the party. But the leader made a great and fatal mistake. He paid no regard to Sunday as a day of rest, although he rested occasionally on week-days. I will not detain the House by entering into details. It is sufficient to state that I believe all the animals and all the men, except one man, perished, and he was rescued to tell the melancholy tale, after having been some weeks or months with the aborigines, who treated him kindly, and assisted him to eke out life by getting and eating a kind of wild corn or grain called nardoo by the Natives. Well, Sir, we have, I am happy to say, an illustration of a different kind. A few years after the time to which I have just alluded another exploring party was organized to start from Queensland, I think from the Gulf of Carpentaria. It was also well arranged and ably conducted; but the leader, Mr. Landsborough, adopted what proved to be sounder policy. He set out with the determination not to travel on Sunday, unless compelled to do so, to reach water, or owing to some necessity; and it is impossible to read the very interesting Reports of the two expeditions without being struck with the different policy pursued and the different result. I have already stated the sad result of the expedition conducted by Burk and Wills, and I believe I am correct in saying that Mr. Landsborough and his party traversed the same desolate country without the loss of man or beast. It is just possible circumstances may have been more favourable for them in some respects, although I have never heard this stated; but I think the reasonable probability is that had Burk and Wills given themselves and their men and cattle the regular rest of the Sunday the lives of those brave and energetic men might have been saved. We have numerous testimonies in support of the great advantage of Sunday rest. Lord Palmerston ascribed the remarkable vigour which he retained in old age to the circumstance that he had all his life given himself up to rest on Sunday. Lord Beaconsfield, speaking on one occasion in opposition to a Motion similar to the one now before the House, is reported to have said—

> "Of all divine institutions the most divine is that which secures a day of rest for men. I hold it to be the most valuable blessing ever conceded to man. It is the corner-stone of civilization, and its removal might even affect the health of the people. It (the opening of Museums on Sunday) is a great change, and those who suppose for a moment that it could be limited to that proposal will find they are mistaken."

Lord Macaulay said—

> "While industry is suspended, while the plough lies in the furrow, while the exchange is silent, while no smoke ascends from the factory, a process is going on quite as important to the wealth of the nation as any process which is performed on more busy days. Man, the machine of machines, is repairing and winding-up, so that he returns to his labours on Monday with clearer intellect, with livelier spirits, and with new corporeal vigour."

Adam Smith writes—

> "The Sabbath as a political institution is of inestimable value, independently of its claims to Divine authority."

Almost innumerable quotations of a similar character might be given not only from the speeches and writings of great and good men of the past, but also from many eminent men who are still happily with us, including the right hon. Gentleman the present Prime Minister; but I fear to tax the patience of hon. Members too severely. Our opponents, however, assert with singular inconsistency that they do not wish to do away with or abolish the day of rest. They would advocate a day of rest during the week for those who labour on Sunday. I have already said it is all very well in theory, but it cannot be carried out in practice. It is not done now with those who toil, some of whom are at work from 15 to 18 hours out of the 24 every day, Sunday included, and seldom have a day of rest, except, perhaps, one Sunday out of four, while many do not even get so much. Now, Sir, I am not one of those who attach little importance to the religious aspect of this question, but I believe Christianity has made us what we are as a nation, and that just in proportion as we secularize the Sunday we lessen the influence of the Christianity we profess; or, to quote the language of Count Montalembert—

> "There can be no religion without public worship, and there can be no public worship without a Sabbath."

But I oppose this Motion chiefly on the ground that it would, in my opinion, be injurious to the best interests of the working classes. We must not allow ourselves to be deceived by the idea that the proposal refers only to the National Galleries and Museums. Everyone who reflects for a moment upon the subject must know perfectly well that opening a few places of the kind in London would be like a drop in a bucket. Even if people were disposed to visit them in crowds the number they could accommodate is small; but what we are asked to do is to grant the permission of the British House of Commons to break down another barrier for the preservation of our national Sunday. This will be used as a powerful lever to break down similar barriers all over the Kingdom, and the next demand will be for the repeal of the law which prohibits money payments for places of amusement open on Sundays. Now, Sir, I hold we have nothing to do with gentlemen or municipalities who throw open their public or private Galleries or Museums; but I trust this House will not, by sanctioning the opening of State-supported Institutions, set an example which would inevitably lead to the opening of almost innumerable places of amusement on Sundays, all over the Kingdom, and to a vast increase of Sunday labour of various kinds. It is all very well to say the working classes are independent and quite able to protect themselves. Sir, it is not so; there are tens of thousands who cannot protect themselves against the slavery to which they are compelled to submit, and to whom the condition described in the seven-day cabman's song is equally applicable.

"Drive, drive, drive,
In sunshine, frost, and rain,
Ever to labour, yet never to thrive,
The brand of the outcast Cain;

Dinner and church and play,
Rail and rout and ball,
Till life and health are worn away,
And never a rest at all.

In Sabbaths I have no part,
My part in my soul I doubt,
A tempest is raging within my heart,
That rivals the storm without.

For it's drive, drive, drive,
Till labour shall stop my breath;
Body and mind alike diseased,
And both at the door of death."

Sir, whatever else might be the effect of opening additional places of amusement throughout the country, no one can doubt or deny that one result would be to increase largely the number of those who would have thus to toil. Of this the more thoughtful and better class of working men are well aware. One of their ablest leaders and advocates, Mr. Lucraft, who has been a most useful member of the School Board for London since its formation, and who was one of the candidates for the Tower Hamlets at the General Election, in answer to a question whether he would vote for opening Musuems on Sunday, is reported to have given the following answer:—

> "As to the opening of Museums on Sunday, he looked at it from purely a workman's point of view, and he should not like to work seven days instead of six. He therefore could not vote for opening Museums on Sunday."

The answer was responded to by cheers; and I may add that Mr. Lucraft is not either a bigoted or ignorant Sabbatarian, anxious to restrict the liberty or enjoyment of working men, but a real and earnest friend, who has the perspicacity to perceive that the tendency of the course advocated by the Mover and Seconder of this Resolution is in the direction of general Sunday labour, and of seven days' work for six days' wages. Sir, Sunday is a great advantage and a great blessing to all who make a proper use of it; but it is pre-eminently so to working men. To them it is a priceless boon, a rich heritage, which, if they are wise and understand their own interests, they will not be easily induced to part with. Our great national poet has written—

"Who steals my purse, steals trash, 'tis something, nothing;
'Twas mine, 'tis his, and has been slave to thousands;
But he, that filches from me my good name,
Robs me of that, which not enriches him,
And makes me poor indeed."

The same language may be very appropriately applied to Sunday. The rich, who can do as they please on that day, but who, either from hatred of all that is sacred, or from a sincere, though I believe mistaken, desire to serve the poor man, filches from him his day of rest—his natural birthright—robs him of that which, if lost, makes him poor indeed. Sir, we who oppose the secularization of the Sunday are honoured occasionally with a liberal share of abuse and misrepresentation. We are accused of being ignorant, bigoted, and intolerant. Well, Sir, we can bear this with great equanimity. We believe that a very large majority of the working classes are in favour of preserving their Sunday, and we desire to assist them to the best of our ability. We do not, as has been represented, advocate either a Jewish or a Puritanical Sunday. We are well aware that there are works of necessity and mercy which must be attended to, and that there ought to be a certain amount of Christian liberty enjoyed on a day which should be the "brightest and best of all the seven," nor do we imagine it any sin to look at paintings, statuary, or other works of Art on Sunday; but we contend that the increase of labour, the increased consumption of spirituous liquors, and other evils which need not be enumerated, would far outweigh any good that might be accomplished. We also believe there never was a time when there was less necessity for opening such Institutions. Fifty or 100 years ago, when comparatively few of the working classes could read, and when the hours of labour were much longer than at present, there might have been more reason for such a step, but now, with increased educational advantages; with penny and even halfpenny papers and periodicals in abundance, containing much useful information; with the Saturday half-holiday and frequently a whole holiday on Monday; with the parks open, where pure air and exercise can be enjoyed; I hope I may soon be able to add with all Museums open three or four nights during the week, and many other advantages, we do not believe that opening Museums and Art Galleries on Sunday would do good to the working classes, but the contrary. I therefore feel it my duty to oppose the Motion. I fear I have already trespassed too long upon the indulgence of the House; and, thanking hon. Members for the patient hearing they have given me, I will conclude, as I did on a former occasion, in the eloquent language of Emerson, whose loss our American friends have so recently had to mourn:—

> "Two inestimable advantages Christianity has given us—first, the institution of preaching the speech of man to man; and, secondly, the Sabbath, the jubilee of the whole world, whose light dawns welcome alike into the closet of the philosopher, into the garret of toil, and into prison cells, and everywhere suggests, even to the vile, the dignity of spiritual being. Let it stand for evermore a temple, which new light, new love, and new hope shall restore to more than its first splendour to mankind."

Mr. CAINE, who had on the Paper the following Amendment to the Motion:—

> After the words "National funds," to insert the words "but such Museums and Galleries shall not be opened to the public before one o'clock on Sunday afternoons, and shall be entirely closed upon one other day of the week,"

said, his hon. Friend (Mr. G. Howard) was willing to adopt that Amendment if the Forms of the House had permitted. With regard to the extraordinary statement by the hon. Member for Leicester (Mr. A. M'Arthur) that the opening of Museums and innocent places of amusement on Sunday would produce a larger consumption of ardent spirits, he desired to remind the House that it had twice affirmed the principle of the Sunday closing of public-houses; but it had not yet affirmed the principle of opening Museums, Picture Galleries, and Libraries; they were, therefore, much nearer the closing of public-houses, and if they were closed, the dangers that were feared from the increased resort to them entirely disappeared. He had studied the question in Holland as a Protestant country, and Belgium as a Catholic country; in Amsterdam and in Brussels he found the churches crowded on the Sunday morning, so that there was difficulty in getting admission to them; and later in the day he found the public places of recreation and instruction also crowded. He believed that there was absolutely nothing to fear, so far as the Christian religion was concerned, from the opening of places of instruction like public Picture Galleries. But that by no means implied the opening of places of amusement like the old Surrey Gardens or the Brighton Aquarium. He was as great a stickler as anyone for a weekly day of rest, and he would urge that that should be strictly secured for all public *employés;* therefore, if the Motion of the hon. Member for East Cumberland were carried, as he hoped it would be, he should move to amend it in the direction he had indicated.

Mr. SLAGG said, that public opinion in Manchester was very much divided; but he could affirm with the most perfect confidence that the experiment made in opening the Royal Institution Picture Gallery in that city on Sunday by a few public-spirited men had been in the highest degree satisfactory to the promoters of the movement; and, further, that those who attended on Sunday afternoons were of the classes that they most wished to see availing themselves of these opportunities, the pure artizan classes of the city. They came in such large crowds that it taxed the ingenuity and patience of the attendants to conduct them through; and it was with the greatest regret on the part of a large section of the working men that the experiment had finally to be abandoned for some reason or other. He really could not imagine how those familiar with the places and habitations of working men in large towns could possibly bring themselves to begrudge the opportunities for improvement and mental recreation such as it was the object of his hon. Friend to secure. To say that these opportunities existed on ordinary week-days was too absurd. The population of this country was very hardly worked, and they had not energy when their daily work was over to embark in such recreations. Therefore, upon grounds of the recreation of the people, of their mental culture, and of the opportunities which he thought the opening of these Institutions would give to improve their artistic, and especially and directly their commercial usefulness, he had great pleasure in supporting the Resolution. The House had, of course, introduced the dreadful bugbear of the French Sabbath. A good many things were done on the French Sabbath which he did not think were likely to be done in this country, and which had no relation whatever to the opening of Museums and Picture Galleries on that day. These were largely visited on the Sunday in France, Germany, Belgium, and Norway; and, from personal observation, he believed that the opportunity of visiting them on the Sunday was an unmixed advantage to the people.

MR. ONSLOW said, it would be a great desecration of the day if the views of the hon. Gentleman who had just spoken were carried out. The Sunday was a day of rest, and he did not believe any good would result to the working classes if these places were open. Nay, more; he did not believe the working classes wished Museums and Picture Galleries opened on Sunday. He could confidently say, from his experience of the working classes, no great desire had ever been expressed for the Motion now before the House, and he believed the grievance complained of was purely imaginary. Nothing, he believed, would fill the public-houses more than the opening of these places. How would hon. Members like to be on their legs in the National Gallery or in the Crystal Palace for three hours without getting some refreshment; and where could people go but to the public-houses? Let no one suppose that he was in favour of closing the public-houses on Sunday. Still, to be consistent, he must tell hon. Members opposite that if they carried out their views nothing more would tend to fill the public-houses than the opening of these places of amusement, and it was only human nature that it should be so. Various pamphlets on this subject had been circulated. He had seen, but not read them. No pamphlet, either one way or another, would convince him that he was wrong in the views he held. The popular and broad view of the working classes on the question was that they were perfectly content that things should go on as at present. He objected to the proposal of the hon. Member for Scarborough (Mr. Caine), because he did not desire to see a day of rest created other than the one which was recognized by the nation; and if his Amendment were carried it would be tantamount to the Legislature manufacturing another Sunday. If Museums were to be opened on Sunday, he failed to see why music halls and theatres should not be thrown open likewise, for surely the drama and music were just as much Fine Arts as sculpture or painting. It was for these reasons, and not because he posed as a Sabbatarian, that he should consistently, on all occasions, oppose the present and all similar Motions.

MR. BROADHURST, who had the following Amendment on the Paper:—

> "That it is undesirable that Parliament should further promote the employment of Sunday labour by authorising the opening of the National Museums and Galleries which are now closed on that day; but that such Museums and Galleries should be open between the hours of six and ten p.m. on at least three evenings in each week,"

said, he regretted finding himself compelled to vote against the Motion of his hon. Friend. He took that course entirely unconnected with any Society. He did it entirely in the interests of labour, with which he had been connected all his life, and on the ground that the seventh day should be kept distinct, and as fully relieved from all associations of labour as it was possible to do. He also opposed the Motion on the ground that there was no sufficient demand in the country to warrant the House adopting the Resolution submitted to them. He further opposed it on the ground that the Motion could have no effect except loosening the ties which bound them together in defence of an absolute right of having one day in seven free from all labour. Not a single speaker had attempted to contend that there was any considerable demand for the Motion. The Society which promoted its object was only able, after a month or six weeks' hard work, at enormous cost, to half fill St. James's Hall at the meeting held last Wednesday. He remembered more than 20 years ago that the subject was discussed in the lodge rooms of a trade society to which he belonged in the Metropolis. If the question were again discussed, he felt sure that it would be found that the feeling in favour of the Motion had not increased. That being so, he did not feel warranted in supporting the Motion. He wished to ask the attention of the House to the other course which he proposed. If the Museums and Picture Galleries were open from 6 to 10 on three nights a week, he was sure they would be largely frequented, and the course would meet with the general approval of the people of London. In support of that opinion, he would refer to the South Kensington Museum, which for 25 years past had been opened on three evenings in the week. The total number of visitors in the evening was 6,397,515, and during the first three months of the present year 126,063 had visited the Museum in the evening, as against 49,209 in the day time. These figures were, he thought, unmistakable evidence in favour of his Amendment. The argument against lighting the British Museum and the National Gallery at night had ceased to have any force. All those who had seen the magnificent electrical exhibition at the Crystal Palace would feel that in the future there need be no difficulty on the score of lighting. It was said that the working people had no opportunity of visiting the National Collections except on Sunday. If that were so, what became of the argument, so long and so successfully employed, in favour of the Saturday half-holiday and later hours on Monday? The argument was that these increased hours of leisure were required in order to enable the people to visit these Exhibitions, and avail themselves of other forms of secular enjoyment. The difference between the hon. Member for East Cumberland (Mr. G. Howard) and himself was that his hon. Friend was seeking to re-cast the social arrangements which had been in existence with regard to that matter for centuries past; whereas he himself was endeavouring to maintain the old tradition of keeping one day in seven absolutely free from labour. He was not much impressed with the argument urged on behalf of the busy City man, who went to his office about 11 in the morning, and returned fagged and worried about 3, in a condition utterly unsuitable to the enjoyment of works of Art. He was not disposed to break with old habits for the benefit of that class of society. There were other people for whose welfare he felt a deeper concern—the toiling masses of the country. The shop assistants were given their Saturday afternoons in order that they might have the opportunity of visiting these Museums and Galleries. If anyone walked through our main thoroughfares in the West End at that time, he would see that the principal shops of the district were entirely closed, and that it was desirable to promote further Saturday closings, than that Sunday openings of Museums should be consented to in order to meet the case of the shell-fish shopkeeper, who worked their white slaves from Monday morning till Saturday night without time or opportunity of recreation. It was perfectly true that if this Resolution were passed they were not likely to see it embodied in a law next week. But people, like nations, never lost their rights by a single Resolution; that was accomplished by Resolution after Resolution and concession after concession. The proposal was one innocent enough on the face of it, but fraught with the gravest and most certain danger, if not to the people now, to the children who would come after them. It had been said that this proposal would relieve public-houses. But did the skilled artizans and workpeople spend their Sunday in the public-house? No. Who were the poor neglected creatures with whom the public-house teemed on that day? Those who were the most unfortunate of the class, and who were the least skilled, and therefore the worst paid, and were, therefore, the worst housed of all our population. Was it likely that this class that loitered round the doors of the public-house, waiting for admittance, were people who were thirsting to worship exhibitions of Fine Art? The tendency, if there was any, of that Motion would be to increase enormously Sunday labour. How could it possibly be otherwise? The masses of the people who, the supporters of the Motion contended, were desirous of visiting these Museums and Galleries, lived, for the most part, in outlying districts. They must be conveyed to the City and back, and if they spent their day in the Metropolis they must be provided with some refreshment. All these things must necessarily tend to increase Sunday labour. It had been said that no general system of labour on a Sunday would be the result. But where were they going to draw the line? Once they had admitted this abstract principle, were they going to hold it fast, and prevent further encroachments? He believed no good could come of such a change. To those who lived a ceaseless life of toil, the Sunday was to them that which the cooling stream in the desert was to the weary traveller. They knew they should arrive at it; and it was one of their great hopes in life that they should, on that one day of the week, feel that all men were equal for 24 hours, and that they were having a foretaste, at least, of a future in which they should share with all mortals the results of a life of labour. The rich had their recesses, their periods of relaxation. The working man had nothing except this day. He asked Parliament, who had never conferred that advantage, not for one moment to attempt to take the advantage from the workpeople. The gift was anterior to Parliament. He asked them, in the name of those who toiled, to retain it, and not to play ducks and drakes with such a sacred, such a priceless gift as this which they enjoyed, and to hand down to them and those who came after them the great and priceless boon of one day of rest out of seven.

Mr. J. G. TALBOT said, the hon. Gentleman (Mr. Broadhurst) had made an impressive—he would say a touching—speech. He was glad that, representing a constituency at the opposite pole of the social scale from that which the hon. Member represented, he had the opportunity of supporting a view which, if he (Mr. Talbot) had advocated it alone, might have been suspected of class prejudices; and he thought he was speaking, not only for himself, but for right hon. Friends who sat near him, when he said he was glad, in opposing the Motion, to feel that he was in accord with one who claimed—and he thought rightly claimed—to represent a large amount of the working-class feeling of this country. It would be an exceedingly difficult thing to arrange that persons employed on Sundays should have an equivalent holiday in the week, and there would be a great danger of their losing their holiday altogether. Too many persons were already unduly employed on Sunday; and to add to their number, as the Resolution proposed to do, seemed to be most uncalled-for and impolitic. It was said that the working classes had no opportunity of visiting Museums, &c., on week-days. That might have been true some years ago; but the number of popular holidays of late years had very much increased. Foreigners, seeing the shops closed, imagined that the English Sunday was dull; but that was an entire mistake, as anyone could see who watched the faces of the people in the streets and the Parks. If it was right to open Museums on Sundays, what distinction could be drawn which would exclude theatres and music halls? It would be found impossible to draw the line between them. Moreover, it must be remembered that in the foreign countries which had been spoken of, where the one set of buildings were open, the others were open also. The late Earl of Beaconsfield said that those who supposed for a moment that the change could be limited to the proposal for opening Museums and Galleries would find themselves mistaken. And the present Prime Minister wrote—

> "Believing in the authority of the Lord's Day as a religious institution, I must, as a matter of course, desire the recognition of it by others. But over and above this, I have myself, in the course of a laborious life, signally experienced both its mental and its physical benefits. I can hardly overstate its value in this view; and for the interest of the working men in this country, alike in these and in other yet higher respects, there is nothing I more anxiously desire than that they should more and more highly appreciate the Christian day of rest."

The House would do unwisely if it allowed itself to be led by any specious arguments as to the needs of the working men to depart from a long-established custom of the country on this important subject. A day of rest was necessary for all classes, and had been handed down to us as a Divine institution, which he trusted the good sense of the House would preserve.

Mr. JESSE COLLINGS said, the hon. Member who had just sat down (Mr. J. G. Talbot), like most speakers upon this question, had represented the matter as if the question before the House were—whether they should be deprived of their Sunday and their Sunday's rest? Now, that was not the question before the House, because the Motion of his hon. Friend (Mr. G. Howard) was not to compel people to go into Museums or Art Galleries, but to give them an opportunity of doing so if they chose. Therefore, that consideration very much narrowed down all the remarks which had been made with regard to the desecration of the Sunday and so forth. There was, however, another argument introduced by the hon. Gentleman. The hon. Gentleman asked, where were they to stop? Why not open theatres as well as the National Galleries? Well, it was a difficult question, no doubt, to say where they were to stop; but the question of the hon. Gentleman should have been asked when they allowed omnibuses and cabs to ply in the streets on a Sunday, and trains to run upon the Railways. The fact was that each question must be settled upon its own merits; and when the hon. Gentleman opposite asked what distinction there was between National Collections and theatres, the answer was this—it was simply sought that the working classes of the Metropolis should be allowed to visit and enjoy their own property on the only day on which they had leisure to do so. That was quite a different thing from allowing a trading and profit-making concern to take money at the door for amusement or any other purpose. He thought the hon. Member would see the great distinction that was to be drawn between the two cases. When the working classes of London, or anywhere else, asked that they should be allowed to go into the British Museum, which was their own property in their corporate capacity, it was precisely the same thing as when the hon. Gentleman opposite entered his own library or picture gallery to look at his books and pictures. The only difference was that in the one case the hon. Member was the sole proprietor, while in the other the working classes were proprietors in their corporate capacity. A pamphlet had been quoted in regard to Birmingham which he wished to refer to, because the statements which it contained were calculated very much to mislead. He would take the first paragraph which appeared in it. It stated that the attendance of visitors at the Art Gallery in Birmingham on Sunday had been altogether a failure, and that in the three years 1878, 1880, and 1881 they were considerably under 1,000 in number. As the writer of that pamphlet was well aware, just at the time he began to give his statistics, the Art Gallery of Birmingham was burned down, and what had been called the Art Gallery since was simply a little room in which pictures were stored until the Gallery could be built again. He could scarcely fancy that the gentleman who compiled these figures could have been ignorant of the number of persons who visited the Art Gallery in the three years previous to the Gallery being burnt down. The numbers quoted in the pamphlet between 1878 and 1881 were 942, 749, and 594 respectively; but in the three years previous to that date the numbers had been 41,000, 36,000, and 29,000. He, therefore, threw away the pamphlet altogether when he found an attempt of this kind being made to foist such statements upon the House in the name of information. He had always noticed in that House that whenever opinions, which were formed from actual experience, were placed before the House, that the House was always inclined to pay attention to them. He might, therefore, say that for eight years he had been Chairman of one of the largest Art Galleries out of London; and on going into the town of Birmingham on a Sunday, seeing every place dull and dismal except the public-houses, and this magnificent building—the Art Gallery—altogether shut up, it seemed to him that the closing of it was almost a crime against religion, morality, and the higher life of the town. He ventured, therefore, in 1872, to introduce a motion in the Birmingham Town Council that the Gallery should be opened on Sunday from 1 o'clock until 10. In consequence of that motion a deputation, composed of nearly every clergyman and minister of the town, waited upon the Council; and he was bound to say that the representations of the deputation were successful for a time, though the Galleries were eventually opened on Sundays. But he now joined issue with his hon. Friend the Member for Stoke (Mr. Broadhurst) as to whether his hon. Friend had a right to speak for the working classes in this respect. He altogether disputed the right of his hon. Friend, because, when he (Mr. Collings) found it impossible to give effect to his Resolution, he sent for the leaders of the working classes in Birmingham, and said to them—"This is not my business. I have my own library, and I do not want to go to this building; but it is your property, maintained out of your taxes. Will you allow those who have no need of Free Libraries and Art Galleries to prevent your entry there?" The consequence was that in three weeks there was such a large demonstration upon the part of the working classes that the Town Council could not resist their importunity, and from that day to this the Free Library and Art Galleries had been thrown open on Sunday. He held in his hand a resolution passed by the representatives of the Trades Council of the borough, which was as follows:—

> "That, in the opinion of this meeting, it is the duty of the Town Council to adopt that part of the Report of the Free Libraries Committee which recommends the opening of the Art Gallery and Reference Library on some part of the Sunday; that such a place of resort would be of great value, and be greatly appreciated by a large number of the inhabitants of the borough; and that, instead of lowering the morality of those who might be inclined to visit that Institution during such times, it would tend to encourage study and thoughts that would elevate the mind, raising them to the consideration of the highest subjects.—Signed, WM. GILLIVER, Secretary to the Birmingham Trades Council."

Since that day, to his own knowledge, many men who were in the habit of spending their Sundays in the public-house had become regular visitors to the Library and Art Galleries of Birmingham. He did not advance that as an argument; but he mentioned the fact in support of their claim to the right of enjoying their own property. But what had his hon. Friend the Member for Stoke (Mr. Broadhurst), in his very interesting speech, advanced? His hon. Friend stated that "labour should accommodate itself to the traditions of the country." He did not wonder that his hon. Friend should have been cheered from the opposite side of the House, because a more Conservative and a more caste-retaining principle the strongest advocate of difference of classes could not have advanced. Another statement put forward was that Sunday labour would become general, and that the working classes would have to work seven days instead of six. But running alongside of that argument was the complaint that the working hours and working days were being lessened by the working classes themselves. Surely the danger could not exist in both directions; and so far as the statement of his hon. Friend, that no skilled labourer would go into a public-house, was concerned, he could state as a fact that that was not so. He knew many persons of that class personally, and he had received the thanks of their families, because whereas, at one time, in default of any other provision, they spent their Sunday in the public-houses, they were now regular visitors to the Free Library and Art Galleries. What was it that his hon. Friend the Member for Stoke (Mr. Broadhurst) contended? He contended that the rich man ought to enjoy his property as much as he chose, but that the working classes should not have an opportunity of enjoying theirs. If a man were able to subscribe one guinea a-year to the Zoological Gardens, or the Grosvenor Gallery, or other places of resort, the sin disappeared, because respectability and wealth entered in; but to see the workman, with his wife and family, going into an Institution which belonged to them in their corporate capacity, in order to enjoy themselves on a Sunday afternoon, seemed, in the eyes of some persons, to be a crime, and must not be allowed. They were frequently talking in that House about the alleviation of the condition of the working classes; but it was of no use going down and preaching to them about bettering their position, because, unless it could be shown that they would be happy in their present position, their mission would be a failure. Everyone could not rise in the social scale, and the object of the House should be to bring enjoyment to the people in the class amid which they dwelt. What was there at present to make their homes happy? First of all there was education. That the Legislature was giving to them. There were only three things the possession of which could give permanent enjoyment, and that was the opportunity of enjoying and the power of appreciating matters connected with art, literature, and science. These were the only things worth caring for, and an opportunity should be given for the artizans to enjoy them. How were they to get over the difficulty of providing them? They got over it by the Communistic principle of taxing the people for the benefit of the many. It was quite evident that every working man could not possess pictures or a library. He had neither a house to put them in, or money to buy them with; but he could enjoy them to the same extent as a private individual as a member of a Corporation. Every man in London, in his corporate capacity, possessed pictures in the National Gallery as good, or better, than any private gentleman in that Assembly, or in any other. The question, then, was, were they going, by their vote that night, to shut him out from an enjoyment which every hon. Member of that House possessed every Sunday of his life? He believed, if a vote upon this question could be taken by ballot, that his hon. Friend the Member for East Cumberland (Mr. G. Howard) would carry his Motion by a considerable majority. But what stood in the way of the question was the amount of Sabbatarianism that existed in the community. That Sabbatarianism turned questions of this kind into the narrowest of issues—and issues that were not contained in the Motion of his hon. Friend. The hon. Member for Guildford (Mr. Onslow) had delivered a speech against the Motion. He (Mr. Collings) knew Guildford very well, but he did not think that a Free Library or a Museum existed there. Therefore, what he would say to the hon. Member was—"First catch your hare—first get your Library and Museum, and take away from Guildford the reproach of having no such Institutions, then it will be quite time enough to speak about the opening of them." He had referred to the opposition which was made at first to the opening of the Museums and Free Libraries at Birmingham. At the present moment, after an experience of nine years, he believed that if they were to appeal to the ministers of religion—including the clergymen of the Established Church and the ministers of other denominations—they would find no very considerable number in favour of closing either the Libraries or Art Galleries. None of the fears that were at first expressed had been realized; but more than the hopes they had expressed had been found to be true, and he had had ministers coming to him within the last year or two to say, candidly—"We were wrong in our fears in regard to that movement. We see now that it was a movement in the direction of morality, and that it was for the best interests of the borough that these Libraries and Art Galleries should be thrown open." He held in his hand the titles of the books which, in the course of a year, had been read on Sunday in the Libraries. In one Library alone there had been 22,000 volumes read on Sundays in the course of a single year. The list was headed by "History, biography, and voyages." Then came "Poetry and the drama," followed by "Art and Science." He was bound to say that the lowest on the list, with one exception, was "Theology," and the exception was "Works for the blind," which stood lowest of all. He might say also that in respect of the Petitions which had been signed against the opening of the Libraries, Museums, and Art Galleries, that in Birmingham they had a Petition presented signed by 15,000 persons. He took the trouble to inquire what the nature of the Petition was, and he found that 80 per cent of the signatures were those of Sunday school children appended to the Petition at the instance of their teachers. Now, he did not like that; it took away something from his faith in the reality of the opposition. His hon. Friend the Member for Stoke (Mr. Broadhurst) said there was no demand for the opening of Museums and Art Galleries. His contention was that there was a demand, and if there were none, then it was their business to create one. When they could get the people to make an earnest, active, and outspoken demand for art and literature they might rest assured that many of the social problems, which now gave them such great difficulty, would be solved for the future. For these reasons he desired to create a demand for the study of art and the enjoyment of literature. One thing he knew quite well, that if they opened Art Galleries the people would visit them in increasing numbers. He had stood in the Birmingham Gallery on a Sunday afternoon for hours together, and he had seen the working men, with their wives and children, looking at the pictures exhibited there, and passing their little criticisms upon them; and he knew very well that their visit would be the subject of conversation in the family circle, perhaps, every day, at every meal, during the week. He did not know anything about the trades in London; but he did know that London was a very demoralized place, generally speaking, and he dare say that they were less advanced than the trades in the country. It was absurd to say that working men would not go into Art Galleries in order to enjoy pictures they would see there. Unfortunately, the working man had no opportunity at present. He had to get up at 6 or 7 o'clock in the morning; his work during the day kept him constantly employed often until 7 or 8 at night; and what time had he for going to Art Galleries or Libraries? If he had no taste at present for the enjoyment of art and literature, the reason was that a taste for them had never been developed in him. His hon. Friend the Member for Stoke (Mr. Broadhurst) said he wanted to keep Sunday wholly distinct from the every-day employment of the working man. What could there be more distinct than the enjoyment which the supporters of the present Motion were contemplating for them, in relieving them from the association of employments which were sometimes degrading and often enervating? He repeated that the question was not one of forcing the people into Libraries and Art Galleries, but simply of giving them the opportunity of entering such Institutions. He was quite sure that hon. Members on both sides of the House would commit a great mistake if they persisted in continually placing difficulties in the way of proposals such as that now before the House, and in overlooking the demoralizing enjoyments which existed. By so doing, he contended that they did more than anything else towards debarring the working man from making progress towards that higher life of the nation which they all ought to enjoy.

Sir WILFRID LAWSON said, he was sorry to stand in the way of his right hon. Friend (Mr. Mundella); but he would not detain the House for any length of time. For his part, he thanked his hon. Friend the Member for East Cumberland (Mr. G. Howard) for having brought the question before the House; because, however the division might go, he thought the House would agree with him so far, that they had had a very interesting discussion, and a discussion which had been illustrated by the very able and eloquent speech of his hon. Friend the Member for Stoke (Mr. Broadhurst), although a good many things had been said which were scarcely *apropos* of the Motion of his hon. Friend. The hon. Member for Guildford (Mr. Onslow), for instance, said that if Museums were opened on Sundays they might just as well open the opera houses and the theatres; but the hon. Member did not seem to remember that the two cases stood on quite a different footing. Operas and theatres were not supported by public money. That made all the difference; and the only reason they had any right to discuss the opening of these Museums in that House was because they were supported by the national funds; and the House of Commons had the disposal of the national funds. For his part, he did not think it was either wise or just that they should dispose of the national funds in the interests and according to the views of one particular sect, and not according to the interests of the whole nation. The idea that they ought to promote certain religious views in that House seemed to him to be a mistake. He thought it was John Stuart Mill who said that a very large portion of the evils that exist in this world arose from the idea that one man was responsible for another man's religion. Keeping that maxim in view, he was inclined to support the Motion of his hon. Friend. He did not see why those people who were the advocates of Sabbatarianism should overrule the rest of the nation. He admitted their sincerity, although they went to extremes. He remembered being told that one of these Sabbatarians, teaching in a Sunday school, once said to a boy—"Beware of the beginning of sin; many a man has commenced with murder, and ended with Sabbath-breaking." One reason why he was in favour of the proposition of his hon. Friend was that the proposal of his hon. Friend was, in point of fact, a permissive Bill. They talked about the impropriety of going into these places on a Sunday; nobody was forced to go. His hon. Friend only wished to give permission to those people who desired to improve themselves by going into these places. His hon. Friend the Member for Guildford (Mr. Onslow) was not compelled to go. He might stop at home and read a good book, and accompany himself with a hymn if he liked. His hon. Friend was one of the strongest advocates in that House for keeping the public-houses open on Sunday, and yet he would shut up these Museums, which certainly did no harm if they did no good. It appeared to him that some persons seemed to think the established religion in this country was the worship of Bacchus. His hon. Friend the Member for East Cumberland (Mr. G. Howard) brought the Motion forward in order that the power of Bacchus might be somewhat diminished. They had heard a good deal about these public-houses. If the present system continued, and all the public-houses were kept open, then his hon. Friend's proposition was all the more desirable, because they wished to induce the people to go somewhere else. All of them desired to draw the working man away from the fascinations and temptations of the public-house. Therefore, on that ground, the proposition of his hon. Friend was right. On the other hand, if they shut up the public-houses on Sunday, and there were Bills now before the House for that purpose, the working men would have nowhere else to go, and it became still more important to open the Museums. The most able speech delivered that night against the Motion was the speech of his hon. Friend the Member for Stoke (Mr. Broadhurst). He had been proud to hear it. He was proud to think that one who was called a working man's Representative could speak in that great Assembly with such ability. But he was not sure he could say that the speech of his hon. Friend had convinced him. His hon. Friend was very cautious in his statements. He did not give any authoritative statement of what the opinion of the great mass of the working men was. His hon. Friend knew too much for that; and he was told on good authority that the working men, through their unions, which was the authoritative mode of expressing their collective opinion, had never yet expressed an opinion, one way or the other, on this great question. There was another question on which his hon. Friend was also cautious. He said nothing about the opinions of his own constituency. At Stoke they had one of these places open. Why did he not say that the men of Stoke felt great evil from it, and desired to have it shut. His hon. Friend did not say that, and hence he presumed that he was unable to do so. His hon. Friend was eloquent, denunciatory, and declamatory; but he did not prove anything. He did not prove that working men would be a penny the worse for going to one of these places. And why should he be worse? Were they the worse? He saw plenty of rich men in that House. It was a House full of rich men. They had their picture galleries, and he dared say that they spent their time in them on Sunday afternoon. What worse were they for it? It had always seemed to him, ever since he had been able to consider the question at all, that the very meanest and most contemptible thing they did was that throughout the whole of their public life the rich men went and enjoyed these things, and yet they would not let the poor man enjoy the things which he himself had paid for. They prevented the poor man, who paid taxes for the support of these Institutions, from visiting them on the only day on which he had an opportunity of doing so. The hon. Member for Leicester (Mr. A. M'Arthur) talked about robbing the poor man of his Sunday. He (Sir Wilfrid Lawson) almost fancied that he was at a Licensed Victuallers' dinner, hearing them talk, again, about "robbing a poor man of his beer." It was the hon. Member who wanted to prevent the poor man from making a good use of the Sunday, and who drove him into the public-house. He did not think the working man had anything to thank the hon. Member for. He thought he might rather feel inclined to say, "Save me from my friends." He did not want to put that matter too high, but he said that if that Motion and the policy of his hon. Friend were carried out the very greatest blessing would be conferred upon the country. He did not mean to say that going to see stuffed specimens of natural history was the highest pitch of refined and intellectual culture that could be found in the country; but what he did say was that it was better to go to Institutions in which such things were to be seen than to go to those abominable places which the law freely opened for their admission now. His hon. Friend the Member for Leicester (Mr. A. M'Arthur) had quoted Emerson in his favour. He should not have done so, and he would not if he had known what he was about, because Emerson was a member of a Sunday Society. They had been told that the adoption of his hon. Friend's Motion would open a door to irreligion and immorality. Did the hon. Member know what had occurred in America—and America, at least, was as religious as they were—["No!"]—and that was not saying very much. The Americans were, at least, as moral and religious as they were; and he was informed that the whole of their Institutions which were paid for by the public money were kept open on Sunday for the use of the working man. [Mr. MUNDELLA: No; it varies in different States.] His right hon. Friend said the practice varied in different States. He was glad that his right hon. Friend admitted so much, because he believed that his right hon. Friend was about to get up and declare that he had no sympathy with the Motion. [Mr. MUNDELLA: No!] He was wrong again, and he was informed that his right hon. Friend was in favour of the Motion. Therefore he thought he had better sit down at once, in the hope of hearing his right hon. Friend adduce much better arguments in favour of the Motion than he was able to do. He would only say, as he said in the beginning, that it was grossly unfair that the public money should not be spent in favour of the whole body of the community; and on that ground he sincerely trusted that his hon. Friend would succeed that night in carrying his Motion, and in putting things upon a better footing in future.

MR. STUART-WORTLEY said, he would not have interposed at that late hour if it were not for the fact that an hon. Member who had spoken from that side of the House asserted that if they consented to the opening of Museums on Sunday they would next be called upon to open the theatres and music halls. Now, for some time past he had taken part in a Society whose object was to give concerts to the working classes. Some of them had been given on the Sunday, with the co-operation and assistance of clergymen of the Established Church. He cited the fact, in spite of the proposition put forth in the eloquent speech of his hon. Friend the Member for Stoke (Mr. Broadhurst), in order to show that the working men of the country were really anxious to avail themselves of the opportunity of refining their mind and cultivating their taste by the enjoyment of the highest class of music. As he had said, these concerts were given on the Sunday, and they were attended in large numbers by working men, who evidently took the greatest pleasure in them. At one of them he had observed that the faces of the audience were of that patient, contemplative cast which seemed to indicate rather the student than the artizan. Mentioning the fact to a friend, he added that almost the entire audience wore spectacles. "Then that," said his friend, "shows that you do not know much of the neighbourhood, because the spectacles prove that they are principally printers and bootmakers." It, however, established two things—first, that there was a great desire for Art among the working classes, in whatever form it could be obtained; and, secondly, that if it was presented to them on the Sunday they were only too glad to have it. He thought the fact he had mentioned went far towards disposing of the argument of his hon. Friend the Member for Stoke (Mr. Broadhurst), that because the dissolute frequenters of the public-houses were not likely to find their way into the Museums, the Museums should therefore be kept closed on Sunday. Their great difficulty at present was a deficiency of information as to the real wishes and feelings of the working classes. The Motion had stood some time upon the Books of the House; but, since Easter, there had not come a single Petition upon either side of the question from his own constituency. They had the negative proof on one side of the question that in certain towns where the Town Council might open these Museums they did not do so. In a few towns they did, for the degree of taste for Art exhibited by the working classes in different towns varied considerably. In Manchester, as was well known, greater taste for Art existed than, perhaps, anywhere else in the Kingdom out of London; and there, he believed, the feeling was strongly in favour of throwing these Institutions open on Sunday. He intended to vote for the Motion; but he thought it ought to be qualified to the full extent by the Amendment placed on the Paper by the hon. Member for Scarborough (Mr. Caine). He did not think the public Galleries and Museums ought to be thrown open on Sunday until 1 o'clock in the afternoon, and they ought not to be kept open to a very late hour in the evening. In giving his vote for the Motion, he wished it to be distinctly understood that he did so from no desire that Parliament should enforce the Sunday opening of Museums by legislative provisions, against the clearly expressed wish of the working classes. He recorded his vote merely as the expression of his individual opinion, formed in consequence of the personal experience he had gained while endeavouring to provide the means of gratifying the musical taste of the working classes.

MR. MUNDELLA: Sir, I can only say, at the outset of my remarks, that one of the ablest advocates of the movement which is the basis of the Motion of my hon. Friend the Member for East Cumberland—I refer to the late Dean Stanley—has said that the observance of Sunday, more than any other question of a religious character, touches the heart and conscience of the whole community, and that to many on the right hand and on the left it is as the apple of the eye in the domains of conscience. And in his address upon the Sunday Question he enlarged upon the importance of the continuance of Sunday as a day of rest. Again, Dean Stanley, who, I am sure, believed that he was not doing anything which would endanger this observance of Sunday as a day of rest, said—

> "I presume we shall have to consider the best mode of using what, certainly, is one of the greatest institutions which this country possesses for the religious and moral elevation of the people."

Sir, I am bound to say that in some of the speeches to which we have listened to-night, Sunday has not been treated as one of the religious and moral institutions of the country. On the contrary, having regard to the National sentiment on the question, some of those speeches, I think, have betrayed too much of levity, not to say ridicule. Now, Dean Stanley says also that—

> "This is a question which must, after all, be decided by public opinion."

My hon. Friend says that the Museums and Picture Galleries referred to are National Institutions, and that every partner in them has the right to go to them on Sunday. But that does not follow, because it is for the majority of the partners in these Institutions to decide whether they should be open on Sunday. Now, his hon. Friend had doubted whether he should be supported by the Scotch Members, many of whom, he said, had asked him whether he intended to open the Scotch Museums on Sundays, and his reply to them was—"If you give us your support for England, I shall not object to your taking Scotland out of the operation of the Resolution, in case Scotch opinion should be against it." But, Sir, that is admitting the whole case, because it is an acknowledgment that the question is one which must be decided by public opinion. When you have once admitted that, the next thing is to endeavour to ascertain what is the public sentiment on the question. Now, looking at the matter on both sides, there are some who maintain that the working classes of the country are in favour of this movement; on the other hand, there are those who maintain they are against it. But we have the most incontrovertible evidence as to what is the opinion of the country on this question in the fact that there are 154 Museums in the United Kingdom, the greater part of which belong to the Municipalities of our large towns, and that out of these only four are open on Sundays. It is said that this arises from want of appreciation on the part of the working classes. But I do not believe it. The town of Nottingham has done more for Art, and shown a higher appreciation of Art, than any town in England; it has obtained a special Act of Parliament that it might tax itself highly to support its Museum, and it has one of the finest and best furnished Museums in England, standing on the site of its ancient Castle. That Museum has been the cause of some contention as to whether it should be open on Sunday or not; and at the last Election the question was decisively settled by the rejection of those candidates who voted for the opening of the Museum on that day. An hon. Member behind me cries "Shame!" but I am only indicating what is the public feeling upon this question in Nottingham. I do not say whether that public feeling was rightly or wrongly expressed; but I say, inasmuch as it is the public sentiment of the town, we are bound to respect it. But, I say, further, that the question was not decided by Sabbatarians, as they are called; it was decided, as I am informed, by the Town Clerk, by the working men of the town, who were apprehensive that if they once began the system of opening Museums on Sunday, some other consequences would follow, and that by slow degrees, as my hon. Friend the Member for Stoke (Mr. Broadhurst) describes it, the complete day of rest, which we all enjoy, and which nobody enjoy and require more than the Members of this House, will be taken away. That fact is certainly illustrative of public opinion on this matter. With regard to what my hon. Colleague (Mr. Stuart-Wortley) has said, no doubt he has done good service in discoursing beautiful music to the working classes on Sunday; but I find that they enjoy beautiful music in other places besides concert rooms. They enjoy it in Westminster Abbey and St. Paul's, and wherever they have an opportunity of listening to it; and it is not to be supposed that those who care about this question are the only portion of the class who enjoy Art, whether musical or pictorial. Indeed, the working classes were learning to enjoy it more and more, and I say there is nothing which has done so much to promote their enjoyment of it as the Saturday half-holiday, which has been instituted in this country for that purpose. An hon. Member has pointed out in the course of this discussion that we are the only nation in the world which has the Saturday half-holiday, with the exception of America, and that opportunity is made good use of by the working classes to visit the Museums, which are in consequence crowded to suffocation. Then, in addition to this, there are the Bank holidays, for which we are so much indebted to my hon. Friend the Member for the University of London (Sir John Lubbock), and which gives further opportunities to the working classes to visit the Museums. But what are the National Museums which my hon. Friend alludes to as among those which it is desirable to open on Sunday? He speaks of the Hampton Court Gallery. But, Sir, people go to Hampton Court to breathe the fresh air, and to enjoy the country fields. It is not for indoor, but outdoor, enjoyment; and I repeat that it is not the pictures that the working classes want, but fresh air, social enjoyment, and rest. There is nothing in the world, according to my experience, so fatiguing as visiting Picture Galleries and Museums. I am convinced that it is rest that the working man requires who has to work all the week; and I say he is fairly entitled to it on Sunday. My hon. Friend the Member for Stoke (Mr. Broadhurst) suggests that the proper way to meet the demand for opening Museums and Galleries would be to open them between the hours of 6 and 10 p.m., for at least three evenings in the week; while the hon. Member for Scarborough (Mr. Caine) suggests that they should be opened on Sunday evenings for four or five hours, and closed for one entire day during the week. This last proposal, I must say, would be impracticable; it would cause the greatest possible disappointment to many persons, because you have people coming to London from all parts of the world, who want to see our National Museums; and would be greatly disappointed if they had to go away without doing so. However carefully you select the day on which the Museums are to be closed, you cannot fail to cause great inconvenience to many thousands of visitors. Now, with regard to the other alternative of the hon. Member for Stoke (Mr. Broadhurst), who suggests that all Museums should be open from 6 to 10 o'clock on three days of the week, I think that is a sensible and proper idea. I must not speak of the British Museum or National Gallery in the presence of the Trustees; but I think that those who saw the Royal Academy lighted up by electricity on the opening night—when each picture, with all its colours, was as distinctly visible as at mid-day—will agree that the electric light will enable us to light up our Museums with perfect safety. What is the case with South Kensington Museum? It has been open for 25 years, and during the whole of that time it has never been closed for a single day—not even for the purpose of cleaning. A careful account has been kept of the number of persons who have visited it between the hours of 10 and 6 in the daytime, and also from 6 to 10 in the evening, and this account shows that 14,000,000 of persons have visited the Museum in the daytime, and 7,000,000 in the evening, between the hours named, which latter would have been shut out if those hours had not been adopted. This shows the advantage of availing ourselves of the opportunities afforded by the electric light. I am speaking before some of the Trustees of the National Museums, and I say with these facilities there is no reason why our Museums should not be open every day of the week for 12 hours of the day. For my own part, I do not believe that the working classes of this country are in favour of opening our Museums on Sunday; and, probably, there is no better illustration of that than is afforded by the town which I myself represent. When the franchise was extended to the working classes, the number of electors in that town rose from 10,000 to 40,000. There is now a beautiful Museum in Sheffield, as well as a central Free

Library; but I have never been asked by my constituents to promote Sunday opening, although they are constantly making demands to give the postmen more rest on Sunday. The fact is, their desire is to maintain Sunday as a day of perfect rest—a most enjoyable day, and the greatest blessing to all, as it is at present. In the speech which Lord Macaulay made on the Ten Hours Bill, he described, in suitable language, the advantages which England derived from the maintenance of her Sundays as a day of repose from toil. I hope the English Sunday will long retain that character; but if we are to secure that result, it can only be attained by mutual concession—each class giving up something which may be both enjoyable and innocent for the common benefit. In this way many persons abstain from using their horses and carriages on Sunday, because they recognize the desirability of making some concession to man and beast. They do not say it is undesirable to take a drive on Sunday, but they consider it desirable to minimize labour on that day. Again, we see that the 4,000,000 persons who dwell in the Metropolis are content to be deprived on Sunday of all correspondence with their friends and relatives in order that the postman might not be trudged to death. And we are not much the worse for it. I remember, when first I came to London, I was much inconvenienced by the want of letters; but my views upon that subject have changed, and I am now very thankful that no letters come to me on Sunday. I will conclude my remarks by saying that until the National sentiment has so far completely altered as to make Sunday a day of recreation and amusement rather than a day of perfect rest—speaking for myself only—I hold it to be the duty of the Government not to open our National Institutions on Sunday.

Mr. ECROYD said, he could not pass from this subject without expressing, in a few words, the views of his constituents, and especially those of them who belonged to the working classes. During the last 35 years a great advance had taken place in their condition. Their thirst for knowledge had increased with the leisure which had resulted to them from wise legislation; and it was precisely those members of the working community, who had come under the influence of this elevating change, whose sentiment as to the necessity of observing the Sabbath as a day of rest was most firmly established. No one who came much into contact with them could have the smallest doubt as to what was the prevailing opinion in their minds upon this subject. It was not that they undervalued what was presented to their view in these public Institutions, but they felt that the Sabbath was not the day on which the pleasures of National Museums and Galleries should be enjoyed; they appreciated what they saw in the Museums, but they insisted none the less that the precious privilege of one complete and unbroken day of rest should not be in the slightest degree invaded.

Question put.

The House *divided:*—Ayes, 208; Noes 83: Majority 125.—(Div. List, No. 88.)

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICES AND REVENUE DEPARTMENTS.

Supply—*considered* in Committee.

(In the Committee.)

Mr. COURTNEY asked for a Vote of Credit of £2,137,750 for the Civil Service and Revenue Departments. A Vote on Account for two months was passed early in the Session. Those two months had now nearly expired, and it was necessary for the Public Service that another Vote be granted.

Motion made, and Question proposed,

"That a further sum, not exceeding £2,137,750, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services and Revenue Departments for the year ending on the 31st day of March 1883, viz.:—

CIVIL SERVICES.

Class I.—Public Works and Buildings.

Great Britain:—	£
Houses of Parliament	4,000
Monument to Earl of Beaconsfield (Re-Vote)	- -
Public Buildings	15,000
Furniture of Public Offices	1,000
Revenue Department Buildings	20,000
County Court Buildings	4,000
Metropolitan Police Courts	1,000

	£
Sheriff Court Houses, Scotland	- -
New Courts of Justice, &c.	10,000
Surveys of the United Kingdom	25,000
Science and Art Department Buildings	2,000
British Museum Buildings	1,000
Natural History Museum	4,000
Harbours, &c. under Board of Trade	1,000
Rates on Government Property (Great Britain and Ireland)	50,000
Metropolitan Fire Brigade	- -

Ireland :—

Public Buildings	20,000
Science and Art Buildings, Dublin	1,000
Shannon Navigation	500

Abroad :—

Lighthouses Abroad	1,000
Diplomatic and Consular Buildings	2,000

CLASS II.—SALARIES AND EXPENSES OF CIVIL DEPARTMENTS.

England :—	£
House of Lords, Offices	3,000
House of Commons, Offices	4,000
Treasury, including Parliamentary Counsel	5,000
Home Office and Subordinate Departments	7,000
Foreign Office	6,000
Colonial Office	4,000
Privy Council Office and Subordinate Departments	3,000
Privy Seal Office	500
Board of Trade and Subordinate Departments	15,000
Charity Commission (including Endowed Schools Department)	3,000
Civil Service Commission	3,000
Copyhold, Inclosure, and Tithe Commission	2,000
Inclosure and Drainage Acts Expenses	500
Exchequer and Audit Department	5,000
Friendly Societies, Registry	600
Local Government Board	10,000
Lunacy Commission	1,000
Mint (including Coinage)	10,000
National Debt Office	2,000
Patent Office	2,500
Paymaster General's Office	2,000
Public Works Loan Commission	1,000
Record Office	2,000
Registrar General's Office	6,000
Stationery and Printing	44,000
Woods, Forests, &c., Office of	2,000
Works and Public Buildings, Office of	4,000
Secret Service	3,000

Scotland :—

Exchequer and other Offices	1,000
Fishery Board	2,000
Lunacy Commission	500
Registrar General's Office	500
Board of Supervision	1,000

Ireland :—

	£
Lord Lieutenant's Household	1,000
Chief Secretary's Office	3,500
Charitable Donations and Bequests Office	300
Local Government Board	10,000
Public Works Office	5,000
Record Office	1,000
Registrar General's Office	4,000
Valuation and Boundary Survey	2,000

CLASS III.—LAW AND JUSTICE.

England :—	£
Law Charges	10,000
Public Prosecutor's Office	600
Criminal Prosecutions	26,000
Chancery Division, High Court of Justice	20,000
Central Office of the Supreme Court, &c.	10,000
Probate, &c. Registries, High Court of Justice	10,000
Admiralty Registry, High Court of Justice	2,000
Wreck Commission	1,000
Bankruptcy Court (London)	5,000
County Courts	30,000
Land Registry	500
Revising Barristers, England	- -
Police Courts (London and Sheerness)	4,000
Metropolitan Police	50,000
County and Borough Police, Great Britain	1,000
Convict Establishments in England and the Colonies	20,000
Prisons, England	40,000
Reformatory and Industrial Schools, Great Britain	35,000
Broadmoor Criminal Lunatic Asylum	2,500

Scotland :—

Lord Advocate, and Criminal Proceedings	10,000
Courts of Law and Justice	10,000
Register House Departments	3,000
Prisons, Scotland	10,000

Ireland :—

Law Charges and Criminal Prosecutions	30,000
Supreme Court of Judicature	10,000
Court of Bankruptcy	1,000
Admiralty Court Registry	250
Registry of Deeds	2,000
Registry of Judgments	300
Land Commission	5,000
County Court Officers, &c.	10,000
Dublin Metropolitan Police (including Police Courts)	20,000
Constabulary	100,000
Prisons, Ireland	10,000
Reformatory and Industrial Schools	20,000
Dundrum Criminal Lunatic Asylum	500

CLASS IV.—EDUCATION, SCIENCE, AND ART.

England :—	£
Science and Art Department	30,000
British Museum	15,000
National Gallery	3,500
National Portrait Gallery	300
Learned Societies, &c.	3,500
London University	2,000

	£
Deep Sea Exploring Expedition (Report)	1,000
Transit of Venus	2,000
Scotland:—	
Universities, &c.	2,000
National Gallery	- -
Ireland:—	
Public Education	130,000
Teachers' Pension Office	100
Endowed Schools Commissioners ..	100
National Gallery	300
Queen's Colleges	2,000
Royal Irish Academy	300

Class V.—Foreign and Colonial Services.

	£
Diplomatic Services	30,000
Consular Services	40,000
Suppression of the Slave Trade ..	500
Tonnage Bounties, &c.	2,000
Suez Canal (British Directors) ..	200
Colonies, Grants in Aid	2,000
South Africa and St. Helena ..	2,000
Subsidies to Telegraph Companies ..	9,000

Class VI.—Non-Effective and Charitable Services.

	£
Superannuation and Retired Allowances	100,000
Merchant Seamen's Fund Pensions, &c.	6,000
Relief of Distressed British Seamen Abroad	2,000
Pauper Lunatics, England	1,000
Pauper Lunatics, Scotland	20,000
Pauper Lunatics, Ireland	10,000
Hospitals and Infirmaries, Ireland ..	2,000
Friendly Societies Deficiency ..	- -
Miscellaneous Charitable and other Allowances, Great Britain ..	200
Miscellaneous Charitable and other Allowances, Ireland	200

Class VII.—Miscellaneous.

	£
Temporary Commissions	3,000
Miscellaneous Expenses	500
Total for Civil Services ..	£1,277,750

REVENUE DEPARTMENTS.

	£
Customs	60,000
Inland Revenue	100,000
Post Office	400,000
Post Office Packet Service	100,000
Post Office Telegraphs	200,000
Total for Revenue Departments ..	£860,000
Grand Total ..	£2,137,750

Sir STAFFORD NORTHCOTE said, he did not wish to take exception on the present occasion to the Vote on Account. He was perfectly well aware that it was necessary, from time to time, in the course of a Session, to provide the Exchequer with the means of carrying on the Service of the country; and, no doubt, there had been reasons which had, in the present Session, rendered it difficult for the Government to take Supply. He would only say that hon. Gentlemen who used to be critical on the conduct of their Predecessors when they had occasion to ask for a Vote on Account would bear in mind that there had been reasons in former years similar to those reasons which now existed. As he understood, the Government asked for a Vote of Credit for a month, and, under the circumstances, that was not an unreasonable request; they knew they had Business which it was most important they should get through. He was anxious to facilitate the progress of Business, and he hoped the Committee would assent to the present proposal.

Mr. ARTHUR O'CONNOR said, he thought Supply was in a much better condition now than it was at this time last year, and with this system of constantly voting sums on account it was impossible to get anything like a discussion on the Estimates, and when at the end of the Session every Member was tired out the balance was taken without any discussion. How could they expect to get anything like a thorough and proper discussion if this system was to be allowed? The hon. Member for Swansea (Mr. Dillwyn) had twitted hon. Members below the Gangway with negligence in criticizing the Estimates, and was at some pains to rebut the accusations made; but the hon. Member, although one of the most constant in attendance in the House, was not present to-night, and it was unreasonable to expect men to be there at 1 o'clock on Saturday morning to discuss the Estimates. He thought the Committee had reason to complain at being called upon at the end of this night's debate to vote sums of between £2,000,000 and £3,000,000 without discussion, as must be the case now. It would probably be found that the Government could dispense with any further Vote until nearly the end of the Session, and then the House would be unable to give that amount of criticism to the Estimates which the Prime Minister had over and over again advocated. Under these circumstances, he thought the Committee might enter a general protest against this Vote. But there were certain items in this Vote which they might specifically protest against, and there was one against which he should protest on every occasion. That was the Vote for Secret Service. The Prime Minister had stated that this Fund was decreasing year by year, and had expressed his desire to see it disposed of. The Government had £10,000 for the Secret Service alone from the Consolidated Fund, and it was impossible that they could require £3,000 more for one month. He would not detain the Committee any further; but he should challenge this item.

Mr. HEALY said, he wished to ask, with regard to the Stipendiary Magistrates in Ireland, whether the Government could form any idea of the number of those gentlemen, and the amount paid to them? There was a strong feeling with respect to Mr. Baillie Hamilton, who had been appointed a Resident Magistrate, and had boasted that he was to have £2,000 a-year. That was the gentleman who had given instructions to Mr. Clifford Lloyd to tear down the placard issued by Messrs. Parnell, Davitt, and Dillon, asking the people of Ireland to discover the murderers of Lord Frederick Cavendish. Was that gentleman to be one of the new Stipendiary Magistrates; how many were there to be, and what would their salaries be? He would also like to know whether the Judges were to receive salaries under this Act, and, if so, to what amount?

Mr. GLADSTONE: With respect to the Judges, there is a provision in the Bill which has been read a second time this evening. With regard to the Stipendiary Magistrates, the hon. Member's information goes further than mine. I am not aware that any definite resolution has been taken with regard to the new Stipendiary Magistrates; but still it is possible that we may have some statement to make to the House upon that subject. At any rate, the House will feel that the importance of the duties to which the House may be pleased to appoint these Stipendiary Magistrates is such that some new provision will be required, because, undoubtedly, if there is to be any decision to intrust them with greater powers, it will be necessary to consider, as has already been stated by my right hon. Friend the Chief Secretary, what further provision should be made for the exercise of those powers. I am not in a position to make any statement on the subject at the present moment, and I rather think the statement of the hon. Member is premature. With respect to the remarks of the hon. Member (Mr. A. O'Connor) as to taking Votes on Account, the old system which enabled us to go from one financial year to another is not now practicable, and Votes on Account have now become absolutely necessary. I consider this matter an open question for the House to consider; but it ought to be perfectly understood that although I would not say the system of Votes on Account is altogether favourable to full discussion by the House, I think it has some points to recommend it. The hon. Member rather overstated the case when he said the House will have no opportunity of discussing the Estimates until the end of the Session, because the two Votes on Account will not take effect till the end of June; consequently, there will be the whole month of June—and I am afraid something more—in which to discuss them.

Sir R. ASSHETON CROSS said, last year he had offered strong opposition to Votes on Account; but on this occasion he entirely agreed with the Prime Minister, although he hoped it would not be taken as a precedent that because they had taken Votes on Account in two years, therefore Votes on Account might always be taken, and that the Minister of the day should be able to put off discussion upon them simply to pass ordinary Bills.

Mr. REDMOND said, he could not quite understand the Prime Minister when he said these Votes on Account had become a necessity, because it seemed to him that if the Government would only so arrange their Business as to be able to bring forward their Estimates in good time at the early part of the Session they might obviate this necessity. It was all very well to say that the Committee would have an opportunity of discussing these matters fully when the proper Estimates came on. That might, perhaps, be a sufficient answer to Members representing English constituencies, and who had not the same grievances as Irish Members to bring before the Committee on the consideration of the Estimates; but they were asked to vote sums on account for various Services in Ireland, and these Votes were used in support of an Administration in Ireland which was in every Department characterized by cruelty, and what he might even call brutality. They were asked to vote this money for the balance of the Secret Service Fund, and for Criminal Prosecutions. He should be willing to postpone to a future date the consideration of their grievances, if it were not that in the meantime men were suffering terrible injustice in Ireland. Under the head of Constabulary and Public Prosecutions in Ireland, money was asked in support of a system carried out by proceeding against people under obsolete Statutes—one of the time of Edward III. for instance—without any evidence to prove that they had been guilty of crime. Under these circumstances, he thought it was their duty to protest against the allocation of money to those purposes.

MR. HEALY wished to ask the Government whether, before the Bill at present before the House came on in Committee, or before it left Committee, they would be able to state what amount would come in course of payment in consequence of this new legislation? There was a provision in the Bill as to Judges, and he should like to know what was to be done for the Stipendiary Magistrates? The Attorney General for Ireland made a pledge the other day that the question of the prisoners in confinement would be reconsidered; but there were other gentlemen than the three "suspects" who had been released from Kilmainham a fortnight ago, who were not more guilty than those three Gentlemen, but were still in prison. The Secretary of the Land League, Mr. Brennan, was still in prison.

MR. CHAIRMAN: Questions do not come into this Vote respecting Stipendiary Magistrates. They do not come under this account at all, and the other point to which the hon. Member refers is quite outside the Question before the Committee.

MR. HEALY said, he had disposed of the first question; but under the head of "Prisoners (Ireland)" there was an item of £150,704, and he presumed he might discuss prisoners; and, if so, he presumed he could discuss the case of a particular prisoner; and he respectfully submitted that he was not out of Order in asking a question respecting Mr. Brennan. His question was whether, in reference to the continued confinement of that gentleman, the Attorney General for Ireland could afford the Committee any information as to the probable course the Lord Lieutenant of Ireland and the Chief Secretary would take in that case, especially as Davitt had been released?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): His Excellency the Lord Lieutenant has devoted a considerable amount of consideration, among his multifarious duties, to the examination of the case of some of these persons; and many of them, as any hon. Member can see for himself in the daily papers, have been released. The case of each one is examined carefully by the Lord Lieutenant himself; and I am sure there will be no unnecessary delay in examining into the case of Mr. Brennan.

MR. REDMOND asked whether the cases of persons detained under the Statute of Edward III. were also being examined by the Lord Lieutenant?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): His Excellency has no like control over that matter. It is a case of this kind. Security is required from these people, and if they refuse to give security they are committed to gaol; but all they have to do to get out of gaol is to undertake to behave themselves and give the required security.

MR. REDMOND said, the question was whether there was any power under the Statute whereby they could be released without conditions.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): If a person is not well-behaved, and will not undertake to be well-behaved, he is sent to prison. The Prerogative of Mercy can open the prison doors, and the Prerogative of the Queen is vested in the Viceroy; but it is entirely a matter for His Excellency whether he will exercise his power in such cases.

MR. T. D. SULLIVAN observed, that this Vote contained the salaries of Mr. Clifford Lloyd, Mr. Blake, and Major Bond, and other magistrates, who were doing so much to create disaffection and disloyalty in Ireland; and he inquired what was the amount of extra pay to be allocated to those gentlemen by the Government?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) replied, that he was not Financial Secretary to the Treasury, and hardly knew what this Vote covered.

MR. ARTHUR O'CONNOR said, it appeared to him an extraordinary thing that when the Committee was asked to vote millions of money there should be absolutely no one prepared to answer questions relating to financial matters. Anyone taking up the Paper would see that there were a number of points upon which it would be reasonable to address questions to the Government. Under the head, for instance, of "Pauper Lunatics," he found an item of £90,000; but the Government had said they required £75,000 up to a certain date, leaving only a balance of £15,000 on that Vote; while for England, where the total Vote was £433,000, they appeared not to have required 1*d*., and had asked for only £1,000. If the Government could carry on their business with regard to pauper lunatics in England with £1,000 up to the end of June, how was it they required so much for Ireland? It was evident that these Votes were drawn up in a haphazard way; and he believed most of the money was not wanted, and that the Prime Minister was right when he said, with regard to Supply, that the Government were well off this year. He wished to ask the Government whether there was any necessity for this extra £3,000 for Secret Service. To his own knowledge —and that was going a long way—the Government did not require this amount, for the very good reason that they had a considerable balance of Secret Service money in hand from last year, and also had sufficient means of drawing from the Consolidated Fund without taking anything in the Estimates. He challenged the Government to show any ground for questioning the accuracy of that statement, or for alleging that there was any reasonable expectation of spending that £3,000; and he begged to move the reduction of the Vote by £3,000, that being the amount of the item for Secret Service.

Motion made, and Question proposed,

"That a sum, not exceeding £2,134,750, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services and Revenue Departments for the year ending on the 31st day of March 1883."—(*Mr. Arthur O'Connor.*)

MR. COURTNEY said, the payments for pauper lunatics were made as soon as the accounts were made up.

MR. ARTHUR O'CONNOR said, with regard to the Secret Service money, was not the old system still maintained by which the Departments in which it was used kept a balance in hand from year to year, instead of paying it into the Exchequer? Was there not last year a balance in the hands of the Secretary of State?

MR. COURTNEY said, he was unable to say whether there was a penny in hand at the end of last year.

MR. DILLON said, he wished to know whether they were here asked to vote any portion of the salary of Mr. Clifford Lloyd? because, if they were, he must oppose it. This person was at the present moment engaged in the persecution of 40 evicted families. He had arrested two carpenters for no other offence than, at the expense of the Ladies' Land League, erecting wooden houses for the shelter of these unfortunate people; and these two carpenters were men with families depending on them. He imagined Mr. Clifford Lloyd's salary would come either under "Law Charges in Ireland," or "Constabulary." At any rate, if they were paying anything to this man, he (Mr. Dillon) should move to reduce the amount of the Vote by £500, or some sum that would include his salary.

MR. COURTNEY said, that, as this Vote covered all expenses for one month, the salary of the Irish magistrates for that period was included. No doubt, one month's pay of Mr. Clifford Lloyd was included. He could not give the amount of that gentleman's salary.

MR. HEALY suggested that the Amendment should be withdrawn and a division taken on this question of Mr. Clifford Lloyd's salary.

MR. T. D. SULLIVAN said, that with regard to the amount for pauper lunatics in Ireland his only wonder was that the charge made was not more, because he considered the policy of the British Government in Ireland eminently calculated to make the people both paupers and lunatics. The Secret Service money, so far as it was expended in Ireland, was paid to informers. It was not spent to good purpose. What was the use of paying informers if they did not inform of anything at all?

Question put.

The Committee *divided:*—Ayes 17; Noes 113: Majority 96.—(Div. List, No. 89.)

Original Question again proposed.

MR. DILLON said, he would move to reduce the Vote by £125, which would be about the amount of a month's salary to Mr. Clifford Lloyd. He (Mr. Dillon) was in receipt of numerous letters and telegrams from the county of Tipperary, descriptive of the outrageous conduct of Mr. Clifford Lloyd; but the particular thing for which he sought to deprive this person of a month's salary was his having engaged himself in the heartless work of preventing the erection of shelter for 40 families who had been evicted under circumstances of great cruelty. In one case a priest had written to him to say that his own father, a man of 80 years of age, had been evicted. Mr. Clifford Lloyd had been on the spot and had aggravated the hardship by every kind of insolence and harshness. Attempts were made to find shelter for the evicted people on a farm two miles from their old dwellings; but Mr. Clifford Lloyd proceeded against the man who had been employed to build the shelter. No notice was taken of the statement that the two carpenters who had been sent down from Dublin had no connection with any political movement, and the men were arrested and charged with an intention to misbehave themselves in some way that no one could understand. These carpenters were now lying in Limerick Gaol. What he wished to know was, whether or not this kind of thing was to continue? for it must be understood that so long as Mr. Clifford Lloyd and others of his class were allowed to ride roughshod over the people of Ireland there could be no question at all about a policy of conciliation. He could answer, he believed, for the people of Limerick and the people of Tipperary that it was no use talking about having initiated a policy of conciliation whilst Mr. Clifford Lloyd and people like him were allowed to act in the manner he had described. This priest to whom he had referred had informed him that whilst he was standing on the threshold of his father's house during the eviction Mr. Clifford Lloyd had approached him and told him in a threatening manner that if he did not know how to behave himself he would quickly teach him how to do so. Such language as this was eminently calculated to bring the law into contempt in Ireland. It was no use framing laws for the prevention of disorder and keeping the peace in Ireland so long as the magistrates were hateful to the people. The only way to give the law a chance was to remove all people who were regarded as enemies of the poor—those men who made themselves the tools and agents of evicting landlords. There was not a tenant or a poor man in Clare, Tipperary, or Limerick who did not consider Mr. Clifford Lloyd an enemy, and there was not a person who was not a landlord who believed he would get justice from him. There was not a person who did not look upon him as a tool of the landlords.

Motion made, and Question proposed,

"That a sum, not exceeding £2,134,625, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services and Revenue Departments for the year ending on the 31st day of March 1883."—(*Mr. Dillon.*)

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he did not think it was fair or reasonable for the hon. Member for Tipperary, on an occasion of this kind—he would not say at this time of night—to spring a debate on a particular subject on the Committee. The hon. Member was in possession of information which had not reached him; therefore, as would be readily imagined, he was hardly able to give a satisfactory answer. If the hon. Member wished to bring a charge against the magistrates, let him do it in such a way that hon. Gentlemen might have an opportunity of making themselves acquainted with the facts, and that the magistracy might be able to meet the attack made upon them. So far as he (the Attorney General for Ireland) was concerned, he considered that Mr. Clifford Lloyd was performing a service of great danger, and performing it with a great amount of personal courage. He was brought into conflict with tenants evicted from their holdings, who were smarting under their grievances, and who were in a state of mind in which they were not likely to look upon the magistrates who were protecting the sheriffs from injury with anything but harsh feelings. It was possible that Mr. Clifford Lloyd might be blameless in the matter referred to by the hon. Member; but the Committee had not the facts before them. He trusted the hon. Member would not press his Amendment to a division, because he did not think one could be fairly taken. They had no means of controverting the statements made in a debate which, as he had said, had been sprung upon them by surprise.

Mr. EDWARD SHEIL said, Mr. Clifford Lloyd's name had not been brought up for the first time in the House to-day; so that when the Attorney General for Ireland accused Irish Members on that (the Opposition) side of the House of springing a debate upon them and unfairly attacking a man who was absent, it seemed to him that the right hon. and learned Gentleman very much exaggerated the state of the case. Mr. Clifford Lloyd's name was perfectly well known to everyone. It had, unfortunately, attained great notoriety in Ireland; consequently, when the right hon. and learned Gentleman said they had sprung a debate on the Committee, he was not stating the fact. Everyone who had listened to the debates which had taken place in the House recently must know that Mr. Clifford Lloyd's conduct had been brought in question over and over again. It seemed to him that his hon. Friend (Mr. Dillon) had seized a very favourable opportunity for raising a debate on the matter; and he, for one, trusted the hon. Member would go to a division on the Vote.

Mr. LEAMY said, that, if the right hon. and learned Gentleman the Attorney General for Ireland was not in possession of information to enable him to meet the charge of his hon. Friend (Mr. Dillon), the proper way to enable him to do so would be to postpone the Vote. Whenever he (Mr. Leamy) had an opportunity—whether it was on the question of reducing a Vote or not—of protesting against the conduct of such a man as Mr. Clifford Lloyd he should avail himself of it. It was not so long ago since the hon. and learned Member for Chatham (Mr. Gorst) stated in the House that crime had greatly increased in Clare, and that within the past four or five months it had become as extensive as it was during the corresponding period of last year. Well, the period during which crime had increased, singularly enough, was the period during which Mr. Clifford Lloyd had been a special magistrate in the district. These matters were not considered worth attention by some Members; but the Irish Representatives considered it their duty to avail themselves of every opportunity of protesting against the conduct of such men as Mr. Clifford Lloyd, especially when they knew there was at the present moment a Bill before Parliament that proposed to increase the duties of that gentleman. The Irish Members would be failing in their duty if they did not carry on this work. When the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) was Chief Secretary they had endeavoured to ascertain the amount of Mr. Clifford Lloyd's salary, but had not succeeded. This gentleman received, first of all, a salary as a magistrate, then travelling expenses, expenses for being away from home, expenses for clerks, &c.; so that there could be no doubt he was one of the best paid officials in Ireland. Whenever money was sought to be obtained for the payment of magistrates like Mr. Clifford Lloyd there should be such a debate as this, and a division should be taken.

Mr. T. D. SULLIVAN said, the right hon. and learned Gentleman the Attorney General for Ireland had complained that the Irish Members had sprung a debate on the question of the conduct of Mr. Clifford Lloyd on the Committee. The right hon. and learned Gentleman forgot that the Government had "sprung" a demand for money upon the Committee. That was why the debate had arisen. He (Mr. Sullivan) was listening in the House during the last Session of Parliament when the hon. Member for Drogheda (Mr. Whitworth)—who was no opponent of the Government, but one of their most consistent supporters—had the candour to say that wherever Mr. Clifford Lloyd was sent to in Ireland he would cause a rebellion. That was the opinion of a Gentleman who was a magistrate, who was not an opponent of the Government, and was no disturber of their peace. And that opinion was a sound one. Wherever Mr. Clifford Lloyd had gone he had got up a rebellious spirit; and if there had not been actual rebellion, it was because Her Majesty's Forces, who had been sent to support him, were in overwhelming strength. Mr. Clifford Lloyd was to Her Majesty's Government a very costly luxury. Wherever he went, morning, noon, or night, he had to be watched, protected, and defended. He (Mr. Sullivan) had been credibly informed that in the house in which Mr. Clifford Lloyd resided, on every landing, and on every staircase, there was a policeman. Mr. Clifford Lloyd could not pass from one house to another, or through the street without having a policeman with him. Why was he retained in that position? It was because he had won the heart of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) when he was Chief Secretary. They had read in romances stories of wonderful attachments; but anything to compare with the love and affection subsisting between these two gentlemen he had failed to meet with in his reading of either history or romance. The Irish Members were bound to oppose this Vote. It was not necessary for the preservation of the peace of Ireland; on the contrary, Mr. Clifford Lloyd, whom it maintained in his present position, was doing a great deal to defer the pacification of the country. He (Mr. Sullivan) had no doubt that if they appointed a wiser man in the place of Mr. Clifford Lloyd, they would be doing a great deal more for the pacification of that part of Ireland over which that gentleman presided than they were doing at present.

MR. BIGGAR said, he thought it unreasonable to ask the Committee to vote public money at such a time as this, more particularly as the Government were confessedly not prepared to give them any information; therefore, he would move that the Chairman report Progress, and ask leave to sit again. If his Motion were adopted, it would enable the Government to obtain the necessary information, and to be prepared, at the proper time, to give such explanation as the Committee thought desirable. The case against the Government was unanswerable—in the first place, they were unprepared to give the information; and, in the next place, it was too late an hour to go on with the Vote. If right hon. Gentlemen who formed the Cabinet were on the Treasury Bench, he would appeal to them whether it was not desirable that the present system of magistrates in Ireland should be re-modelled, and that no gentlemen who had not had legal training should be appointed to the magistracy in Ireland. As long as the present system was continued, there must be continued complaints as to the conduct of the magistrates. Mr. Clifford Lloyd was rather an exaggerated case of Resident Magistrate; but, after all, it was only a question of degree. Mr. Clifford Lloyd was not very much worse than many others—he was only one of a class. They should agree to Progress being reported, in order that the Chief Secretary for Ireland, or the Prime Minister, might give them an opinion as to what Resident Magistrates should be appointed.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Biggar.*)

MR. HEALY said, that before the Chairman put the Vote he would put it to the Government that, in view of the cordial and general co-operation that was understood to exist between the two Parties—the Irish Party on the one hand, and the Ministerial Party on the other—there should be a cordial co-operation between them on this matter. He would advise the Attorney General for Ireland to make a searching investigation into the character and conduct of the magistrates of Ireland before the Coercion Bill came to be considered. It did not appear as though the Government were going to pass the Bill as rapidly as they expected. Perhaps it would accelerate its passage if the Government, when information on such matters as the conduct of Mr. Clifford Lloyd was asked for, were in a position to give it. He should, however, if necessary, raise every one of these points in considerable detail.

MR. GIBSON said, the hon. Member for Tipperary (Mr. Dillon) had moved the reduction of the Vote on the narrow ground of—as he had himself said—making a protest against the conduct of Mr. Clifford Lloyd. Hon. Members had said it was desirable to have a short debate in order to emphasize their objection to that official, and upon the subject they had had a few short observations in reply from the Attorney General for Ireland. As he had anticipated, the hon. Member for Tipperary had not rested his objection to Mr. Clifford Lloyd on any particular case, but used a particular case as an illustration of a broader objection; therefore, he could not see how, if the observations of the Attorney General for Ireland had been longer, they would have destroyed the objection of the hon. Member. He (Mr. Gibson) thought it right to say, as he was on his feet, that, although his acquaintance with Mr. Clifford Lloyd was slight, from what he knew of him and what he had heard of him, he thought him a highly capable, efficient, and courageous gentleman. It would be wrong and cowardly on his part, if, being present, he did not make that statement. He would put it to the hon. Member for Cavan (Mr. Biggar) whether, as the hon. Member for Tipperary had challenged the Vote on the question of the conduct of Mr. Clifford Lloyd, it would not be better to make any protest it was thought desirable to make in the division on that challenge, rather than in a division on reporting Progress?

Mr. DILLON contended that Irish Members were in every respect entitled to receive information from the Government as to their intentions with regard to the evicted families. The right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) had put the case very plainly, although he had not stated his (Mr. Dillon's) views exactly. Still, he wished to express his willingness to withdraw the Motion for the reduction of the Vote, if the right hon. and learned Gentleman the Attorney General for Ireland would give some assurance that the 40 families should not be left in their present deplorable and houseless position. His objections to the whole course of Mr. Clifford Lloyd's administration, of course, remained the same, and would form the subject of future debate in that House; nevertheless, if a guarantee were forthcoming that the police interference would cease in the present case, he was certainly inclined to yield something in return.

Mr. CHILDERS said, he thought the hon. Member for Tipperary could not have heard what the right hon. and learned Attorney General for Ireland had said. His right hon. and learned Friend had distinctly stated that he was not in possession of information which would enable him to discuss the question raised by the hon. Member; but that he would be ready to go into the matter fully, and meet the charge preferred against Mr. Clifford Lloyd as soon as that necessary information was obtained. To these remarks the right hon. and learned Gentleman merely added one or two observations with regard to Mr. Clifford Lloyd, which were received with the general approval of hon. Members in the House. The hon. Member for Tipperary was, of course, perfectly within his right in taking a division on his Motion if he deemed it necessary to do so. Still, he was bound to point out that the course adopted in this case was most unusual, and at the same time inconvenient, because if, when a Vote on Account was asked for, it were the practice to raise and discuss at length questions on each particular item, it would be practically impossible to carry on the Service of the country. He repeated that if the hon. Member wished to take a division it was perfectly competent to him to do so; but his right hon. and learned Friend had given so full an assurance that the case should be gone into as soon as information was received, that he hoped the Vote would be allowed to be taken without the Committee being put to the trouble of dividing.

Mr. DILLON said, after the observations of the right hon. Gentleman the Secretary of State for War, he should be willing to withdraw his Motion, if that right hon. Gentleman or the Attorney General for Ireland would name a time at which he could bring the conduct of Mr. Clifford Lloyd under the notice of the House. The difficulty he laboured under was that if he allowed the present opportunity to pass, he should be in ignorance as to when another opportunity would offer for again bringing this particular case forward. In the meantime, the 40 families would remain houseless and homeless.

Mr. CHILDERS said, the hon. Member for Tipperary had asked a fair question, and was entitled to an answer. The hon. Member could raise the point as to the conduct of Mr. Clifford Lloyd by way of question, or in the form of a

Motion on going into Committee of Supply. In either of these ways, if he would give Notice of his intention on the Notice Paper, he would have the opportunity which he desired.

Mr. SEXTON said, the suggestion of the right hon. Gentleman the Secretary of State for War that the hon. Member for Tipperary should proceed by question was not satisfactory. From his own experience, he found that course to be perfectly useless, for he had already brought this matter forward by way of question, without any effect. It was a most astonishing circumstance that the Attorney General for Ireland was ignorant of the facts of this case, because they were perfectly notorious, and a considerable time, moreover, had elapsed since they occurred. He, therefore, felt bound to say that if the right hon. and learned Gentleman was not in possession of them, he ought to be. Several weeks had passed since he had addressed the Question to the Attorney General for Ireland on the subject of these unfortunate families. He had referred to the man who died of an attack on the lungs, the consequence of exposure resulting from being turned out of his house. The right hon. and learned Gentleman said Mr. Clifford Lloyd was not to blame for that. He (Mr. Sexton) said that he was. The right hon. and learned Gentleman also stated that Mr. Clifford Lloyd was discharging a service of danger to himself; but the service he was engaged in was really one of danger to the unfortunate people who were evicted. As to putting down Questions with regard to the conduct of officials in Ireland, this was well known, as he had already pointed out, to be perfectly useless. He had again and again called the attention of the Government to the fact that the lives of innocent persons were being daily sacrificed in Ireland in consequence of the action of officials, without producing any result.

Mr. CHILDERS pointed out that his suggestion to the hon. Member for Tipperary was not only that he could proceed by Question, but by Motion on going into Committee of Supply. If the hon. Member objected to the former course, he would have every opportunity for discussing this subject by the alternative indicated.

Mr. REDMOND said, that the alternative which the Secretary of State for War had suggested to his hon. Friend as affording an opportunity of a full discussion of the conduct of Mr. Clifford Lloyd was not a practical one. Upon what occasion, he asked, between that time and Whitsuntide, for instance, could a subject of that kind be brought forward? It was not a matter which would brook delay. A single week's inaction might result in the death of another unfortunate man from exposure and want; and, therefore, he said it was monstrous that such an answer as they had listened to from the right hon. and learned Gentleman should be given by a responsible Member of the Government. The answer of the Attorney General for Ireland that he knew nothing of the facts of the case to which the hon. Member for Tipperary had called his attention was a complete justification of the Motion of the hon. Member for Cavan (Mr. Biggar) to report Progress, which, if it did nothing more than mark their disapprobation of this want of knowledge on the part of the right hon. and learned Gentleman, in a matter of such importance it would be essential that it should be pushed to a division. Some hon. Gentlemen smiled at that remark; but did they consider it a subject for smiles that the families of 40 tenants were unsheltered and homeless, on the roadside, in a single district, in consequence of the action of this magistrate? The consequence of Mr. Clifford Lloyd's action was that protection and house-shelter had been denied to these unfortunate families. He said Irish Members were bound, by every consideration of their duty, to press this question to an immediate issue; and, therefore, from that point of view, the alternatives offered by the right hon. Gentleman the Secretary of State for War were useless. If Irish Members asked Questions as to the conduct of Irish officials, it was well known that they did not receive satisfactory answers; if, in consequence of that, they used the Forms of the House to raise discussion they were denounced as Obstructionists; and further, if, in the present instance, they were to put down a Notice on going into Committee of Supply there would be no opportunity for a fortnight, at least, of discussing the question. In the meantime these families were perishing on the roadsides. Under the circumstances, he sincerely hoped his hon. Friend the Member for

Cavan would press his Motion for reporting Progress to a division; and, in concluding his remarks, he could not but express surprise that the Attorney General for Ireland should have declared himself to be in absolute ignorance of the facts connected with so well-known a case as the eviction of these 40 families—this notorious case of severity on the part of an Irish magistrate, Mr. Clifford Lloyd, who had refused to allow charitable people to provide these unfortunates with shelter.

MR. HEALY said, this was a very simple matter, and could be dealt with at once if the Government would only look at the facts of the case. The right hon. Gentleman the Prime Minister had told them that day that he was in favour of justice being done to Ireland; and, therefore, he felt no hesitation in further appealing to right hon. Gentlemen on the Treasury Bench. Here was a case of some 40 people who had been turned out on the roadside; and he asked what was there to prevent the right hon. and learned Attorney General for Ireland saying he would instruct Mr. Clifford Lloyd not to interfere with the erection of huts for the purpose of giving them shelter? There was a very good precedent for doing so, because when Mr. Clifford Lloyd, acting on instructions from the Under Secretary at the Castle, gave orders that the manifesto relating to the recent murders should be torn down wherever it was placarded, the right hon. and learned Gentleman had given Mr. Clifford Lloyd a rap on the knuckles, so to speak, by telling him not to tear down the manifesto. Could not the right hon. and learned Gentleman then do the same kind of thing with regard to the huts? They were told that the Government desired to co-operate with Irish Members; but, for his part, he repudiated co-operation if it was to be carried out as it seemed likely to be. There were in one district of Ireland 200 people homeless through eviction. Would the Government allow homes to be erected for them or not? He thought it would be well to make that question a test of the feeling of the Government with regard to doing justice to the people of Ireland. Again, were they prepared to release the carpenters, who only earned three days' wages in erecting the huts? The right hon. Gentleman the Secretary of State for War said they had an opportunity of proceeding in this matter by Question, and by a Motion on going into Committee of Supply. That was quite true; but Irish Members had a better opportunity than either of these, and this was one of them. He assured right hon. Gentlemen on the Treasury Bench that, until this matter was settled, there would be no getting on with the Estimates. This was a much better way of raising the question than either of those suggested by the Secretary of State for War, because it would probably lead to the removal of men whose conduct was known to be bad, if the Government found the Estimates blocked as long as their services were retained. He told the Government frankly that the object was to make it inconvenient for them to employ swashbucklers like Mr. Clifford Lloyd in Ireland.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, the hon. Member who had just spoken was under a misapprehension in supposing that he had administered any snub or rap on the knuckles to any official in Ireland. When in Dublin he had seen a police report, from which he learnt that the police, on their own responsibility, had torn down the placards referred to by the hon. Member; and upon this—perhaps exceeding his responsibility a little—he sent a telegram suggesting that the placards should not be interfered with. He did not know that Mr. Clifford Lloyd had given any directions in connection with what had taken place. So much for that point. With regard to the request of the hon. Members for Tipperary (Mr. Dillon) and Wexford (Mr. Healy), that an assurance should be given that the huts would be allowed to be erected, that was not in his power. He had no control whatever over any magistrate in Ireland in the discharge of his duty. He had no power even to offer an opinion on the conduct of a magistrate, who, if he understood his duty, would in such a case demand by what authority he volunteered his advice.

MR. DILLON said, they were in this position. The Committee were asked to vote an enormous sum of money for State purposes, and there was no one in the House who knew anything about the position of an official whose salary was included in the sum asked for.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he thought he could shorten the discussion by stating that there was nobody in Ireland who had any legal authority over a magistrate in the exercise of the functions of his Office except the Court of Queen's Bench. If a magistrate decided erroneously, his conduct must be reviewed in regular and due course. So far as he was aware, the only power which the Government possessed over a Resident Magistrate in the exercise and discharge of his duties was that he might be directed to go from one place to another; but they could not control his judicial action in the exercise of his functions as a magistrate.

MR. DILLON said, they had succeeded in drawing from the Attorney General for Ireland one of the most extraordinary statements he had ever heard in that House. It amounted to this—that the Irish magistrates were allowed to do pretty well what they liked, and were subject only to the Court of Queen's Bench. It seemed to him that this answer of the right hon. and learned Gentleman would render it necessary for Irish Members to raise the whole question relative to the magistracy in Ireland. Their complaint was not against the local magistrates at that moment, but against those magistrates who were paid by a money Vote of that House, and who held an entirely different position from the magistrates in England. Of course, if the Irish magistrates confined themselves to judicial action, the statement which the right hon. and learned Gentleman had just made concerning them would be intelligible enough, and might be accepted. But they did things of a far different character. They exceeded their judicial functions, and went about the country acting in the same spirit as had been shown by Mr. Clifford Lloyd. That gentleman had, in fact, tried on a system of his own, which was entirely apart from and altogether overstepped the judicial functions of a magistrate. He acted as if he were placed in charge of a district in a state of siege; and if an outrage occurred, his practice was to gallop into the district, and sweep in all the farmers' sons within a certain radius without any investigation at all, upon the general principle that farmers' sons were sure to be implicated in these outrages. He had been assured by men who had been brought before this tyrannical magistrate that they had actually been afraid to say a word in their own defence, lest they should be committed to gaol for contempt of Court. He was also informed that Mr. Clifford Lloyd unfairly questioned the accused men, and that he browbeated and bullied them by calling them murderers, assassins, and ruffians. The use of such language by a magistrate on the Bench ought to cause his instant removal. The Resident Magistrates in Ireland were going about doing what he had described, and, further, laying down certain laws of their own, and harshly enforcing them. Mr. Clifford Lloyd went to the farmers, and said—"You shan't allow such and such a man to erect a hut on the land;" and if no notice was taken of his interference, he pounced upon the unfortunate carpenters from Dublin engaged in erecting the huts, and cast them into Limerick Gaol under an obsolete Act passed in the Reign of Edward III. Mr. Clifford Lloyd brought the law into utter contempt, and he treated the people of his district as he would treat uncivilized beings. They were told by the Attorney General for Ireland that he had no right to interfere with the action of Mr. Clifford Lloyd. Would the right hon. and learned Gentleman tell them who had authority over Mr. Clifford Lloyd? Had anybody in England authority over him, if no one had in Ireland? Who had the power to dismiss him? Where were they to look for satisfaction for any outrage that this man might commit in the name of the law?

MR. T. A. DICKSON said, if he remembered correctly, the question of the erection of huts was before the House some days ago, and then arranged. He understood that directions had been given to Mr. Clifford Lloyd not to prevent the erection of huts where they were being put up for the purposes of shelter, and not for the purpose of intimidation. He was under the impression that the matter was settled amicably, and that a Member on the Front Bench, on the part of the Government, had undertaken that no obstacle would be placed in the way of the erection of huts intended for shelter.

MR. REDMOND said, they had not received a complete answer from the

Government. The huts in the case of these 40 families had not been erected, and one unfortunate man had actually died from exposure. He would like to ask the right hon. and learned Gentleman the Attorney General for Ireland whether any order had been sent to Mr. Clifford Lloyd; and he would further like to ask him, in reference to his statement that he had no power over Mr. Clifford Lloyd, whether this official did not, in fact, owe his appointment to the Executive? Surely, if that were so, the Executive had power to censure or to dismiss him.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he was not aware that any order had been sent to Mr. Clifford Lloyd, although one might have been sent without his knowing it; but he certainly did not send one. With reference to the second question of the hon. Member for New Ross (Mr. Redmond); he had to say that, of course, the Government appointed Resident Magistrates, and they had power to dismiss them. Two workmen, who had been mentioned by hon. Gentlemen, had been committed to gaol for not entering into surety for their good behaviour. If they had been improperly committed they would be entitled to discharge, and if they were discharged they would be entitled to bring an action for damages. If they did bring such an action, and succeeded in their suit, he need not remind the Committee they would receive sufficient and ample damages.

MR. HEALY said, the right hon. and learned Gentleman was sincerely to be commiserated with, for he had to stand up in the House to answer questions from Irish Members on matters on which he told them he knew absolutely nothing. The right hon. and learned Gentleman was in a position in which he deserved their sincerest sympathy; and he (Mr. Healy) would suggest to the Government that next time matters affecting Ireland were brought up for consideration, they should arrange for the presence of someone able to answer any question that might be addressed to him. As the right hon. and learned Gentleman knew nothing of the matter before them, and seeing there was no possible object in keeping him here, he might be dispensed from service in the House. They desired information which at present they could not obtain. He would suggest to his hon. Colleagues that they could not do better than, on a future occasion in Committee, get up a breezy discussion on the character of the men who were carrying out these unjust laws. They had to-night learned the startling fact that when Government had appointed a man no one had any control over him in the future. When the new Stipendiary Magistrates were to be appointed, it would behove them to be chary as to who they appointed. They would like to make some inquiry as to the previous conduct of the new officials. Unfortunately, he was not willing to admit that the statement of the right hon. and learned Gentleman was precisely accurate. The right hon. and learned Gentleman must know very well that these Resident Magistrates were being used not exactly as magistrates, but as a sort of political, as a sort of military rough riders, employed by the Government to do as they pleased and reduce the country to subjection. Mr. Clifford Lloyd was not appointed to carry out any Common or Statute Law, but to strike fear or terror into the people of Clare. No good purpose could be served by the right hon. and learned Gentleman evading the position that Mr. Clifford Lloyd held with regard to the Executive Government. Mr. Clifford Lloyd had some superior; there was someone to whom he reported, and he thought that superior would be a person for whom Mr. Clifford Lloyd entertained a great amount of respect. There must be someone to whom this man was responsible, and he and his hon. Friends wanted to know who was the spokesman for that superior? If the right hon. and learned Gentleman had not, had the Solicitor General for Ireland anything to do with Mr. Clifford Lloyd? If the Solicitor General for Ireland had no control over the gentleman, had the Lord Advocate for Scotland anything to do with him? Perhaps the Secretary of State for War would be able to say who had any authority over this warlike magistrate, who, so far as they had yet learned, appeared to be above the House of Commons. In his opinion, the House of Commons ought to be above voting the gentleman £125 as a month's salary.

MR. CHILDERS said, the hon. Gentleman put the matter in the right light.

Let the Committee decide at once whether the amount should be made.

MR. ARTHUR O'CONNOR said, they had heard that this semi-military magistrate conducted many of his proceedings in private. There was a certain amount of advantage in discussion of this kind at such an hour as the present, because the Press was practically excluded. The eyes and ears of the public were closed to their proceedings at half-past 2 o'clock in the morning; and, therefore, they could speak frankly; they could express themselves freely. Apart from all Party feeling, he appealed to hon. Members to say whether the spectacle which the Committee now presented, not to the public, but to itself, was not one which was at once monstrous and scandalous? The House of Commons was asked by the Government to vote upwards of £2,000,000. That sum was made up of no less than 142 separate items, and of that number only two had been touched upon—namely, the items for the Secret Service and the Irish Constabulary. With regard to the Secret Service money, the Secretary to the Treasury had had to admit he really knew nothing. With respect to the Vote for the Irish Constabulary and the magistrates provided for by that Vote, the Attorney General for Ireland admitted that he did not know anything; on every point on which any challenge had been made the Government had had to admit that they knew nothing. One Minister after the other had answered that he knew nothing about the matter. Was that a proper position for the House of Commons to be put in? It was a very great pity that the public were not likely to know what was going on. ["Hear!"] It was all very well for hon. Members to say "Hear, hear!" in a sarcastic tone; it was their duty, and it was the duty of every man in the House, to exercise a surveillance over the public money. Hon. Gentlemen were supposed to be the protectors of the public purse. The right hon. and learned Gentleman suggested that another occasion should be taken for raising the question. They were prepared to do so if the Government would meet them in a reasonable way. It was in the power of the Government to afford them an opportunity for discussing the subject; and if the Secretary of State for War would, in the absence of the Prime Minister, take a bold step and give an assurance that a proper opportunity would be given them for discussion, or that the Estimates would be brought on at an early hour, he felt persuaded that his hon. Friends would be satisfied.

MR. BIGGAR said, he would like to make one or two observations with regard to what had been said by the hon. Gentleman the Member for Tyrone (Mr. Dickson) as to the erection of huts. The other day he (Mr. Biggar) understood the Attorney General for Ireland to say that in cases where intimidation was evident it was illegal to put up huts; but in cases where no intimidation was visible it was clearly the duty of the magistrates not to interfere. No pledge, as he understood, was given. It was perfectly idle for the Attorney General for Ireland to say that the Executive had no control over the magistrates, for it was preposterous to suppose that these officials were not continually directing communications to Dublin Castle. Seeing that Dublin Castle communicated with the magistrates day by day, that it instructed them upon all sorts of subjects, and seeing that Dublin Castle had full power to dismiss them, it was idle for the Attorney General for Ireland to tell them that no authority could be exercised, or was exercised, by the Castle over the magistrates. Of course, such a thing as direct influence with regard to decisions could not be had, except through the Court of Queen's Bench; but, at the same time, there was a power in the hands of the Executive to influence the conduct of these men. What he would suggest to the Attorney General for Ireland was that he should promise them that he would represent to the new Chief Secretary what his opinion was in regard to the question of law involved in the erection of the huts. Whether it was exactly within the right hon. and learned Gentleman's technical right, it was within his practical right to represent to the Chief Secretary what were the duties of a Resident Magistrate; it was right the right hon. and learned Gentleman should suggest to the Chief Secretary the desirability of teaching Mr. Clifford Lloyd what was his duty under the circumstances described.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he would convey the opinion, which he had repeatedly given in the House with respect to huts, to the Chief Secretary; and, having given that assurance, he hoped the hon. Member would withdraw his Amendment.

Mr. T. P. O'CONNOR said, he thought this discussion had not been without advantage, for it enabled the Irish Members to tell the Government something of the mind of the Irish Party, and gave the Government an opportunity of displaying something of their intentions. They were now face to face with a Government which expressed its desire to reverse some of the proceedings of the administration in Ireland. One part of that administration was the action of the Stipendiary Magistrates. The action of the Government on the question whether they would allow those magistrates to remain in Office, and continue the sort of proceedings they had been undertaking for some time past, would show whether their intentions were sham intentions or real intentions. So long as the late Chief Secretary was Secretary for Ireland there was hope for any British blackguard in British Burmah, or anywhere else, who was ready to take his part in Bashi-Bazoukism over the Irish people. They had present a Member of the Cabinet, and he thought the right hon. Gentleman would do service to his Colleagues, and to the Government generally, if he conveyed to them to-morrow the result and the temper of this debate; because that would show that so long as Mr. Clifford Lloyd, and gentlemen like him, were retained in Office, and allowed to carry on proceedings as they had hitherto, there must remain a chasm between the Government and the Irish Members upon any measures they might submit to the House. He thought it was an advantage to the Committee to have been afforded an opportunity of stating what they really meant.

Mr. LEAMY said, it seemed to him that the undertaking given by the Attorney General for Ireland was worth very little.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): It was what I was asked for.

Mr. LEAMY said, he at once acknowledged the courtesy and readiness with which the right hon. and learned Gentleman answered the question of the hon. Member for Cavan (Mr. Biggar); but he did not consider the undertaking worth very much, because, if carried out, he did not believe it would have any effect on the actions of Mr. Clifford Lloyd. Mr. Clifford Lloyd must have become aware of the opinion the Attorney General for Ireland had expressed when he was asked about the erection of these huts; but that had not prevented him from intimidating, and, under those circumstances, it was immaterial what opinion the Attorney General for Ireland held on the subject. He hoped his hon. Friend would persist in his Motion, until they had some information from the Government in reference to it.

Mr. DILLON said, he was not at all satisfied with the answer of the Attorney General for Ireland, and therefore he must go to a division, for he would not rest until he got permission for huts to be erected for every evicted tenant in Ireland.

Mr. BIGGAR also thought the reply of the Attorney General for Ireland did not amount to very much. They all knew what was the conduct of the Stipendiary Magistrates, and under the *régime* of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) they were encouraged to act in the most outrageous manner. If the promise of the right hon. and learned Member was kept only in the word, and not in the spirit, the hon. Member for Tipperary (Mr. Dillon) would from day to day be forced to ask questions, and criticize in every kind of way the conduct of the Executive, and the result could be very well foreshadowed. With these remarks he should be satisfied with a less full promise than he otherwise should have been, and he would ask leave to withdraw his Motion.

Motion, "That the Chairman do report Progress, and ask leave to sit again," by leave, *withdrawn.*

Question put,

"That a sum, not exceeding £2,134,625, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services and Revenue Departments for the year ending on the 31st day of March 1883."—(*Mr. Dillon.*)

The Committee *divided:*—Ayes 14; Noes 83: Majority 69.—(Div. List, No. 90.)

Original Question again proposed.

MR. REDMOND said, he wished to put a question to the Attorney General for Ireland with regard to the recent occurrence at Ballina. A few days ago, as probably every Member of the Committee knew, charges of buckshot were fired by the police at Ballina at a crowd of children. Some of the children were wounded, and some were now in danger of losing their lives. The hon. Member for Mayo (Mr. O'Connor Power) had asked a Question about the matter, and the answer he had received was that the Inspector of Police who was in command of the men who fired upon the children—and whose conduct had, on a previous occasion, been made the subject of comment in the House, but without the slightest effect—had received leave of absence——

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, the Sub-Inspector had been relieved from duty.

MR. REDMOND wished to know if the Government had ordered any inquiry to be made into the circumstances of this firing upon the people, and whether they had come to the conclusion that the Sub-Inspector should be dismissed the force?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, the Government were now engaged in investigating the matter; and he would ask the hon. Member, in the public interest, not to press for a further answer.

MR. SEXTON said, that when the conduct of the magistracy in Ireland was next under discussion he should expect an answer as to the legal right of these gentlemen to hold private Courts. In one case a lady—Miss Kirk—was tried privately and alone, although she requested that the clergyman of the parish might be present, and that she might have the assistance of a solicitor. The magistrate, in a rough manner, refused her request, and Miss Kirk was committed to Limerick Gaol, where she was now lying. The Court of Queen's Bench refused to hear any legal point on appeal, unless it came from the Court below, and that rested on the dictum of Mr. Justice Fitzgerald. In the case of Mrs. Moore, if it had been gone into, it would have been found that she was a married woman and could not be asked to give bail, and she would not have been detained. He should also ask whether the evicted tenants, for whom shelter was provided, would be allowed to take advantage of it?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that, for the satisfaction of the hon. Member, he certainly would inquire into these two points. He was under the impression that he had seen it stated in the newspapers that Miss Kirk's case had been decided on by the Court of Queen's Bench.

MR. SEXTON said, the Court of Queen's Bench had decided that the right of appeal was killed unless the case had come from the Court below.

MR. ARTHUR O'CONNOR said, he would press on the hon. Gentleman the Secretary to the Treasury the propriety of giving an answer to the question he had raised, as to whether it was likely or unlikely that the Government would find themselves compelled to come to the Committee again this year for a Vote on Account?

MR. CHILDERS said, his right hon. Friend at the head of the Government had already answered that question this evening. No Minister, no one, above all, who knew Treasury Business, could like Votes on Account; but they were inevitable in certain cases. He was not in a position, nor was his right hon. Friend in a position, to say that they would not have to ask for another Vote on Account. It depended on the progress made with Business. If the hon. Member wished the Government to go on with Supply, instead of the Arrears Bill, of course, he (Mr. Childers) would communicate that desire on the part of the hon. Member to the Prime Minister; but he hardly thought that was seriously wished.

MR. CALLAN said, that the other day four young men were arrested in county Louth. On the following day they were committed, bail being refused. On the 7th of March, 10 days after their imprisonment, they were liberated, Captain Cooke, the presiding magistrate, saying that there was not a scintilla of evidence against them. It was manifest that the evidence that had been given was a piece of concocted perjury; but from that time no step had been taken to prosecute the two informers for that perjury, although they still resided in the country. In another case, a number of respectable men, some owning 400 acres of land, were arrested on a charge of having entered into a conspiracy to murder Sub-Inspector Callahan, of Drogheda, and subscribed £100 for the purpose. The attention of the Attorney General for Ireland was drawn to the case, and the informer was taken to live in Dublin. Well, it was ultimately proved that the informer had sworn falsely; but yet he was not committed for perjury. He was taken back to Dublin Castle a fortnight ago. Was this man still in the country, and, if so, was he to be prosecuted for perjury? What length of time would the Attorney General for Ireland take to make up his mind whether or not he would prosecute an informer for perjury? He was not slow to order any other kind of prosecution.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he had already stated in the House the circumstances connected with the case, and he could only repeat them now. The hon. Member had said there was an investigation before the magistrates. Well, of that he (the Attorney General for Ireland) had seen nothing but a newspaper report, and he could not undertake to order a prosecution on the strength of that report. He had asked for an authentic report of the trial at the Petty Sessions, and until he received that he could not act in the matter. The parties against whom it was said false evidence had been given were in a substantial position —one of them owned 400 acres of land, and was a richer man than he (the Attorney General for Ireland) himself—and they could prosecute the man for perjury. He was not sure that they had not had advice on the subject. The magistrates might have explained that they did not think it wise to recommend that a charge should be preferred against the man for perjury.

MR. CALLAN said, he asked whether the man was still in the country, and could be made responsible? Was he still detained as a resident in the Castle or in the purlieus thereof?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he was quite sure the man was not in Dublin Castle and never had been. What the hon. Member meant by "the purlieus thereof" he could not say.

Original Question put.

The Committee *divided:* — Ayes 57; Noes 13: Majority 44.—(Div. List, No. 91.)

MR. HEALY asked when the Government intended to take the Report of the Vote?

MR. COURTNEY: On Monday.

MR. HEALY said, in that case he trusted the Chief Secretary for Ireland would be present in the House, because, although they all admitted the courteous character of the replies of the right hon. and learned Gentleman the Attorney General for Ireland, his want of information upon certain Irish questions was much to be regretted.

Resolution to be reported upon *Monday* next.

Committee to sit again upon *Monday* next.

MR. CHILDERS said, as all the remaining Business on the Paper was blocked, he would move the adjournment of the House.

MR. HEALY asked whether that Motion could be put? It was not the case that all the remaining Business was blocked.

MR. CHILDERS said, he was now informed that there was one Motion which was not blocked; and he would, therefore, not make the Motion.

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (NO. 3) BILL.

On Motion of Mr. SOLICITOR GENERAL for IRELAND, Bill to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the City of Dublin and the Poor Law Union of Ballymoney, *ordered* to be brought in by Mr. SOLICITOR GENERAL for IRELAND and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented*, and read the first time. [Bill 172.]

House adjourned at half after Three o'clock till Monday next.

HOUSE OF LORDS,

Monday, 22nd May, 1882.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Boiler Explosions (85).

Committee—Union of Benefices (London) (61-101); Pluralities Acts Amendment (74-102); Railways (Continuous Brakes) (21), *negatived;* Imprisonment for Contumacy * (91-103).

Committee—Report—Local Government Provisional Order (Highways) * (82); Commons Regulation Provisional Orders * (88); Public Health (Scotland) Act Amendment * (84).

Report—Elementary Education Provisional Order Confirmation (London) * (56); Elementary Education Provisional Orders Confirmation (West Ham, &c.) * (55).

Third Reading — Militia Storehouses * (76); Commonable Rights * (73); Documentary Evidence * (87); Military Manœuvres * (86), and *passed.*

PRIVATE AND PROVISIONAL ORDER CONFIRMATION BILLS.

Ordered, That Standing Orders Nos. 92. and 93. be suspended; and that the time for depositing petitions praying to be heard against Private and Provisional Order Confirmation Bills, which would otherwise expire during the adjournment of the House at Whitsuntide, be extended to the first day on which the House shall sit after the recess.

UNION OF BENEFICES (LONDON) BILL.

(*The Lord Bishop of London.*)

(NO. 61.) COMMITTEE.

Order of the Day for the House to be put into Committee read.

THE BISHOP OF LONDON said, that, when the Bill was read a second time, the noble Earl opposite (the Earl of Carnarvon) had spoken in strong terms of the non-residence of many of the City incumbents. Now, it was difficult to define residence; but it was the fact that a large proportion of the City clergy were non-resident, and that was a very great evil. Probably, there were many clergy houses which, for a long time past, had been used for business purposes, and it was impossible now to buy them back, except at enormous prices. It was one of the main objects of the Bill to deal with this difficulty, and, as far as possible, to do away with the evil complained of.

THE EARL OF CARNARVON said, he agreed with the right rev. Prelate (the Bishop of London) that it was desirable, as far as possible, to reduce the evil of non-residence. He hoped, also, that by judiciously arranging the times of the various services to meet the requirements of those who frequented the City another evil, the scanty attendances at some of the churches, might be removed.

House in Committee.

Clause 1 *agreed to.*

Clause 2 (Constitution of Commission for purposes of Act).

On the Motion of The Earl of ONSLOW, Amendment *made,* in page 1, line 21, by leaving out ("seven,") and inserting ("nine.")

THE EARL OF ONSLOW, in moving to insert words providing that one Commissioner shall be nominated by the Council of the Royal Institute of British Architects and one by the Bishops of Rochester and St. Albans, said, the object of the first was to protect the interests of Art and Architecture in the City churches, and of the second to secure that the proceeds arising from any union of benefices should be applied where most needed in the suburban dioceses of Rochester and St. Albans.

Amendment *moved,*

In page 2, line 4, after ("College") insert ("one Commissioner shall be nominated by the Council of the Royal Institute of British Architects; one Commissioner shall be nominated by the Bishops of St. Albans and Rochester.")—(*The Earl of Onslow.*)

THE BISHOP OF LONDON said, he saw no objection to the insertion of the Amendment.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 3 (Proceedings of the Commissioners).

On the Motion of The Earl of ONSLOW, Amendment *made,* in page 2, line 35, after ("present,") by inserting—

("And in the event of an equality of votes, shall have a second or casting vote.")

Clause, as amended, *agreed to.*

Clause 4 (Functions of the Commissioners).

THE EARL OF ONSLOW said, that the area of distribution laid down by the Bill—that of the Metropolitan Board of Works—was much too limited. It would exclude Wimbledon, Croydon, Edmonton, Tottenham, Finsbury Park, and other suburbs. Having in view the enormous increase shown by the recent Census, some allowance ought to be made for the probable increase of population in the suburbs during the next decade. They ought also to recognize the fact that 20 minutes' run in a fast train brought a residential suburb as near to London as one that was but a mile or two away, without railway communication. He, therefore, proposed to substitute for the area defined by the Bill that of the Metropolitan Police District, as laid down by 2 & 3 *Vict.*, c. 27.

Amendment *moved,*

In page 3, line 30, to leave out from ("London") to the end of clause, and insert ("and all parishes and places forming part of the Metropolitan Police District as defined by the Act of the second and third years of Victoria, chapter forty-seven.")—(*The Earl of Onslow.*)

THE BISHOP OF LONDON said, he would accept the Amendment.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 5 *agreed to.*

Clause 6 (Regulations as to making schemes for union of benefices).

On Motion of The Earl of CARNARVON, Amendment *made,* in page 4, line 10, by inserting after ("house") the words ("within the area of such new benefice.")

Clause, as amended, *agreed to.*

Clause 7 *agreed to.*

Clause 8 (Regulations as to schemes for application of surplus ecclesiastical revenues).

Amendment *moved,*

In page 5, line 29, to insert after ("benefices") the words ("(5.) The maintenance of the fabric of such churches as, in the opinion of the Commissioners, are not needed for Divine worship, but which, for architectural or historical reasons, ought to be preserved.")—(*The Earl of Onslow.*)

Lord LAMINGTON and The Earl of SHAFTESBURY supported the Amendment.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 9 (Proceedings in respect of schemes).

Amendment *moved,*

In page 7, line 17, to leave out from ("shall") to end of sub-section, and insert ("Be laid in print before both Houses of Parliament, and if neither House of Parliament within twelve weeks, exclusive of any period of prorogation, presents an address praying Her Majesty to withhold her consent, it shall be lawful for Her Majesty in Council by order to approve the same.")—(*The Earl of Carnarvon.*)

THE BISHOP OF LONDON thought the Commissioners, who would be a Conservative body, might be trusted to carry out the objects for which they were appointed.

THE MARQUESS OF SALISBURY said, that the Commission would be invested with very despotic powers; and, therefore, he was glad that some check was proposed to be put upon them, for he did not think they would necessarily be of so Conservative a character as the right rev. Prelate (the Bishop of London) thought. It was true there was an appeal to the Judicial Committee of the Privy Council; but that could only be on questions of law, as the Privy Council would not interfere on questions of policy. The Commissioners had power to deal with rights of property and other rights which the inhabitants of London had enjoyed for a very long time; and he hoped and believed that they would deal with those rights in a judicial and Conservative spirit. Still, when he recollected the way in which the despotic powers confided last year to the Commissioners under the Irish Land Act had been used, he was not disposed to place despotic powers in the hands of any Commissioners. He, therefore, supported the Amendment.

Amendment *agreed to.*

On the Motion of The Earl of CARNARVON, Amendment *made,* by the insertion in the clause of a new sub-section, as follows:—

("7. Every such scheme shall, from the date specified in the scheme, or if no date is specified, then from the date of the Order in Council, have full operation and effect in the same manner as if it had been enacted in this Act.")

Clause, as amended, *agreed to.*

Clause 10 *agreed to.*

Clause 11 (Compensation for vested interests of incumbents).

On Motion of The Lord Bishop of LONDON, Amendment *made,* in page 8, line 25, by the insertion of the following Proviso:—

("Provided also, that if any such incumbent embraces any religion other than that of the Church of England, the aforesaid annual payments shall cease.")

Clause, as amended, *agreed to.*

Clauses 12 and 13 *agreed to.*

Clause 14 (Sites or portions of sites may be given for improvement of public thoroughfares).

On Motion of The Earl of ONSLOW, the following Amendments made:—In page 9, line 26, after ("public") insert ("auction or"); in line 29, after ("to") insert ("public improvements.")

Remaining clauses *agreed to.*

House *resumed.*

The Report of the amendments to be received on *Tuesday* the *6th of June* next; and Bill to be *printed* as amended. (No. 101.)

PLURALITIES ACTS AMENDMENT BILL.

(*The Lord Bishop of Exeter.*)

(NO. 74.) COMMITTEE.

House in Committee (according to order).

Clause 1 *agreed to.*

Clause 2 (Construction and interpretation).

On the Motion of The Lord Bishop of EXETER, the following Amendments made:—In page 1, line 14, leave out ("not only"); line 15, leave out ("but also") and insert—

("The visiting and private monishing and exhortation of the sick and the whole, the religious instruction of the young and the preparation of them for confirmation and");

and leave out from ("as") to ("and") in line 19 and insert—

("Any spiritual person holding a benefice is bound by law to perform or which may lawfully be required of him by the bishop of the diocese, and shall have been so required.")

Moved, after Clause 2, to insert as a new clause—

(Celebration of Holy Communion.)

"The incumbent of every benefice or his curate shall celebrate holy communion in every church or chapel belonging thereto (if there shall be a sufficient number to communicate with him) on one Sunday at least in every month throughout the year after morning prayer, or oftener, if the bishop, having regard to the population and circumstances of the benefice, shall so require; and shall give due warning of every such intended celebration."—(*The Lord Bishop of Exeter.*)

THE BISHOP OF CARLISLE said, he strongly opposed the adoption of the clause, because he considered that the object in view would not be nearly so well accomplished as it was now being accomplished by the efforts of the Bishops and the goodwill of the clergy. The clause was not *in pari materie* with the rest of the Bill. The proposal of his right rev. Brother (the Bishop of Exeter) was, in fact, to introduce a new Rubric, which would be exceedingly unsatisfactory.

THE BISHOP OF EXETER said, he could not agree with his right rev. Brother; but, in deference to his views, he would withdraw the Amendment.

Amendment (by leave of the Committee) *withdrawn.*

Clause 3 (Repeal of so much of s. 77 of 1 & 2 Vict. c. 106, as relates to the persons to act as commissioners on inquiries as to inadequate performance of ecclesiastical duties. Persons to act as commissioners on inquiries as to inadequate performance of ecclesiastical duties).

On the Motion of The Lord Bishop of EXETER, the following Amendments made:—In page 2, line 11, leave out ("and the remaining two") and insert ("one other"), and after ("be") insert ("a"); line 12, leave out ("clergymen") and insert ("clergyman"); line 13, after ("provided") insert—

("And one other of such commissioners shall be a magistrate in the commission of the peace for the county wherein the benefice is situated and a member of the Church of England, nominated for the purpose of such commission on the requisition of the bishop by the person who presided as chairman of the quarter sessions for the county or division of the county last preceding such requisition, or if there be no such person then by the lord lieutenant of the county.")

Clause, as amended, *agreed to.*

Clause 4 *agreed to.*

Clause 5 (Beneficed clergy of every archdeaconry to elect triennially two beneficed clergymen of the archdeaconry to act as commissioners for the purpose of inquiries as to inadequate performance of ecclesiastical duties).

On the Motion of The Lord Bishop of EXETER, the following Amendments made:—In page 2, line 41, leave out ("two") and insert ("a"); line 42, leave out ("clergymen") and insert ("clergyman") and leave out ("commissioners") and insert ("a commissioner"); page 3, line 3, leave out ("names") and insert ("name"), and leave out ("persons") and insert ("person"); line 6, leave out ("persons") and insert ("person").

Clause, as amended, *agreed to.*

Clauses 6 to 10, inclusive, *agreed to.*

On the Motion of The Lord Bishop of Carlisle, the following new clause was *agreed to*, and *added* to the Bill, after Clause 10:—

(Saving as to certain cases.)

"Provided always, that nothing in this Act contained shall prejudice the provisions of the fifteenth section of the Act of the session of the first year of the reign of Her present Majesty, chapter twenty-three, or the provisions of the Ecclesiastical Dilapidations Act, 1871, or any mortgage or charge duly created under any Act of Parliament upon the profits of any benefice which may come under the operation of this Act."

Remaining clauses *agreed to.*

House *resumed.*

The Report of the said amendments to be received on *Tuesday* the 13*th of June* next; and Bill to be *printed* as amended. (No. 102.)

RAILWAYS (CONTINUOUS BRAKES) BILL.—(No. 21.)

(*The Earl De La Warr.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee."—(*The Earl De La Warr.*)

Lord COLVILLE of CULROSS, in rising to move the Previous Question, said, he had no intention of entering into the controversy on the continuous brakes system, or to inquire whether the Westinghouse system or any other was or was not the best. He would admit that he was strongly of opinion that every passenger train in the country should be provided with a continuous brake; and was sorry to have to admit that some Companies were very tardy in adopting it. But the Bill before their Lordships aimed to impose upon Railway Companies the application of a new principle altogether—that of the automatic brake. He was strongly of opinion that any legislation on such a subject ought not to come from a private individual, but from the Board of Trade, that Department of the Government which attended particularly to railway matters and the safety of the public in connection with railways. His noble Friend would, no doubt, say that the Bill was founded on the recommendation of some officer of that Department some five years ago. Perfect unanimity, however, it was well known, did not exist in the Board of Trade on the subject. The Report of the Committee who had sat on the matter in 1877 had also been largely quoted by the supporters of some such measure as the present; but if the experience of 1882 had existed in 1877, he did not think the recommendations of that Committee in favour of an automatic brake would ever have seen the light. He attended a few days ago a deputation which waited on the President of the Board of Trade, when Mr. Chamberlain stated that he was adverse to any legislation for bringing Parliamentary pressure on Railway Companies which could be avoided. The right hon. Gentleman particularly instanced the blocking system and the interlocking system as inventions which, he said, were adopted without any Parliamentary pressure whatever. Railway Companies had not any object in killing or maiming people; their great desire was to carry their passengers with the utmost safety, not only on the ground of humanity, but because of that very ugly word, compensation. No doubt, a great many accidents must occur in the management of railways, a great many of which must be fatal; but, according to the Report of the Board of Trade for 1880, the last which had been issued, he found that no fewer than 603,884,000 railway journeys had been made in this country in the course of that year, and only 29 persons were killed from circumstances beyond their own control, being at the rate of one in 20,927,034 persons who travelled on railways, or, including season ticket holders, one person in every 24,600,000. That, if compared with walking in the streets of London, was comparative safety. The Bill required the adoption of a kind of brake which would only act when the couplings were broken. An eminent engineer had informed him that this automatic brake would give no warning in cases where an axle broke, or where the train jumped off the line; for it would not act of itself so long as no severance took place. In the face of such testimony, he could not support the Bill, which made the automatic brake compulsory, and which came from a private Member of their Lordships' House, and not from the Board of Trade, which ought to assume the responsibility of legislation of such a nature; and he trusted their Lordships would support him in moving the Previous Question.

Previous question *moved.*—(*The Lord Colville of Culross.*)

THE DUKE OF SUTHERLAND said, that he strongly objected to the Bill as unnecessary, considering the progress that had been made of late years by the Railway Companies in the adoption of these brakes. If the noble Earl opposite (Earl De La Warr) had brought forward the Bill five or six years ago, there might be some reason for it. All Railway Companies were convinced that continuous brakes were necessary, and did not seem in any way to be slow in adopting adequate measures of precaution; and he could quote figures to show at what rate brakes were being fitted on the different trains. It was his belief, indeed, that after a very short time no trains would leave London without this system of brake—in fact, hardly any left without them at present. The interference of Parliament with the Board of Trade in respect of the brake question would be most mischievous, as it would relieve the Companies of a great deal of responsibility, and would work in a way prejudicial to great improvements. It seemed to him, from some experiments that had been carried out within the last few months, that the Railway Companies were now convinced that the proposed brake was not the best that could be adopted. It was an American invention that was supposed to be the best at the time it was proposed; but better brakes had now been provided. He thought much responsibility would attach to the Government if they supported a Bill like the present, being convinced that much the better course would be to leave the matter in the hands of the Railway Companies themselves, who were progressing very satisfactorily in the application of improved brakes.

LORD SUDELEY said, he hoped the House would not support the Motion for the Previous Question, but would allow the Bill to be referred to a Select Committee. The noble Earl who had introduced the Bill (Earl De La Warr) deserved great credit for the perseverance with which, year after year, he had pressed forward this important question; and it would hardly be a courteous act to him if the Bill was shelved at this stage. It must also be remembered that continuous brakes were brought to the notice of the Companies as far back as September, 1858, and it was as long ago as the year 1874 that the Royal Commission was appointed to inquire into the best means of preventing railway accidents. That Commission, on which the noble Earl sat, after careful investigations for three years, reported, in 1877, that they considered it desirable that the Railway Companies should be compelled to adopt some system of continuous brakes; and, while they thought at that moment that the question was not sufficiently ripe for them to state which brake should be used, yet they indicated in general terms that they concurred in the conditions necessary for a good brake which the Board of Trade had recommended in the general Report on Railway Accidents in 1874. The Commissioners, in their Report in 1877, expressed—

> "Their decided opinion that no train could be considered properly equipped which was not furnished with sufficient brake power to bring it, at the highest speed at which it will be running upon any gradients within its journey, to an absolute stop within 500 yards."

So convinced were they of the absolute necessity of having sufficient brake power for the security of life and prevention of accidents that they went on to state—

> "That there are ample means of accomplishing this object with certainty and safety, and we recommend that this be made obligatory by statute."

He (Lord Sudeley) need hardly say since that date the urgency of the case had been greatly strengthened by the enormous increase in traffic, and by the invention of improved forms of brakes. He found that the increase in the amount received for traffic had been for passengers, in 1870, £19,300,000; 1880, £27,200,000; for goods, 1870, £24,100,000; 1880, £35,700,000. The Board of Trade had felt most unwilling to interfere with railway management, or to impair, in the slightest degree, the responsibility of the Companies for injury or loss of life by accident on their lines, by any legislation which would have laid down a stereotyped form of brake. They had limited themselves to laying down certain conditions, which they concluded, after full consideration, were necessary for continuous brakes to comply with, and they had endeavoured steadily to press upon the Companies the necessity of carrying out these requirements. Attempts had also been made, at different times, by private individuals during recent years to obtain legislative authority to compel all Railway Companies to adopt a continuous brake; but, on each occasion, the Board of Trade had advised that the measures should not be proceeded with, relying as they did upon the assurance of the Companies that they were actively engaged in fitting their stock with brakes which would comply with the suggestions shadowed forth by the Report of the Royal Commission and recommended for adoption to the Companies by the Board of Trade in 1876. In 1878 an Act was passed compelling all the Companies to make Returns showing what description of brakes were in use on their lines, what amount of stock was fitted, and what failures (if any) had occurred in the use of the brakes. From those Returns, he was sorry to say, it appeared that the action of the Companies generally had been very slow and inadequate; and, up to the present time, there was no general concurrence as to what form of brake should be universally adopted. Some Companies (two in particular) were bright exceptions to the rule, and their action in the matter and the result of their experience proved that the conditions of the Board of Trade were not only, as they obviously must be, desirable, but perfectly practicable and capable of being carried out without any inconvenience to the Companies concerned. Other Companies had partially and very slowly fitted their trains with brakes which did not comply with the suggestions of the Board of Trade; and, again, other Companies had wholly neglected their duty in this respect. On December, 1881, the Returns showed that the amount of stock fitted with continuous brakes was 2,393 engines and 24,749 carriages, leaving stock unfitted, 2,894 engines and 20,486 carriages. There was thus supposed to be fitted—of engines 45 per cent, and of carriages 55 per cent. Unfortunately, of this number, a large amount of rolling-stock did not comply with all the conditions contained in the Circular of the Board of Trade of 1877, for the numbers which complied with all the conditions were only 1,423 engines and 10,403 carriages. The noble Lord who had moved the Previous Question (Lord Colville of Culross), and who represented several of the large Railway Companies, would not deny that that was a most unsatisfactory state of things; indeed, he had already stated that he thought every railway ought to adopt some sort of continuous brake. The Board of Trade had, up to the present time, been in hope that the force of public opinion and the moral pressure which they were able to bring to bear upon the Companies, with these Returns before them, would have induced them voluntarily to take up and deal thoroughly with this important question. Such a course was, in every way, far more desirable than to compel them by legislation to do so; but, after the experience of the last five or six years, it was difficult to maintain that anything short of legislative enactments would induce the Companies thoroughly to grapple with it. In those circumstances, and while the Board of Trade would not, perhaps, have initiated a measure of the kind which was now before the House, they could not help thinking that the time had arrived, in the interests of the travelling public, when some pressure should be put on the Companies. While he did not wish for one moment to go into the rival merits of various brakes, or to imply that it was desirable to stereotype by Act of Parliament any particular form of brake, yet the Board of Trade, after the experience of six years, and after having given the fullest consideration to the subject, were of opinion that there was no reason to withdraw or modify the suggestion which they had previously expressed as being necessary for providing brake-power for passenger trains. It had been constantly urged that automatic brakes were too complicated and were liable to get out of order. On that point the most conclusive evidence had been given to the Board of Trade that, while it was undoubtedly true that all mechanical contrivances were at times liable to get out of order, and that continuous brakes were no exception to this rule, yet careful instruction to those who were intrusted with brake duties minimized and almost removed all chances of failure. That had been shown on one railway, where a van was specially fitted up and all the guards and engine-drivers were made to go through a course of instruction, the result being that slight accidents and failures in the brake had been almost entirely prevented. When it was remembered that enormous speeds were now attained by express trains, the desirability and urgency of having efficient brakes that could be used instantaneously was brought vividly before everyone's notice. The Board of Trade felt sure that if their conditions were carried out a continuous brake would be given which would work with thorough efficiency. There could be no doubt of their practicability, for brakes complying with them had been adopted by the French Government and on the Belgian railways, and, he believed, in Austria, and were largely used in America. At the same time, he admitted that there was still considerable divergence of opinion on the matter; and the Board of Trade, while still unwilling to force legislation on the railways, saw no objection to the Bill going to a Select Committee, believing that further inquiry might tend to stimulate the Railway Companies to greater exertions.

EARL CAIRNS said, that he was quite certain the noble Earl who introduced the Bill (Earl De La Warr) was actuated by the best intentions; but, looking to the character of the measure, he (Earl Cairns) could not support it. He was himself quite as anxious as anyone could be upon the matter, and agreed that it was very desirable that a system of continuous brakes should be adopted; and if the Board had made up their minds as to the best system, and had come to Parliament for powers to compel its adoption, he, for one, should be very much disposed to grant their request. But that was just what they had not done. By the Bill under notice Parliament was asked to stereotype now and for ever, or, at any rate, until the Act was repealed, a sort of ideal brake; and, what was still more objectionable, to submit the question whether the brakes of the various Companies answered the requirements of the Act, and other questions not of a judicial character, to a body of gentlemen—the Railway Commissioners—who were utterly unfit to determine such matters. Such questions were altogether foreign to the business the Commissioners were appointed to transact, and he held that duties of that nature ought not to be thrown upon them. The first condition of the Board of Trade was that the adopted brake

> "Must be efficient in stopping the train, must be instantaneous in its action, and capable of being applied without difficulty by engine-drivers and guards."

But the Commissioners who were to decide this point were not supposed to be mechanics, and knew nothing of the structural formation of the rolling stock of a railway. The next condition was, "in case of accident, it must be instantaneously self-acting." He presumed that, as "in case of accident" meant in case of any accident whatever, no brake could conceivably satisfy such an impossible condition. Then, again, "the brake must be capable of being easily put on and taken off the engines every day with the train;" and the question of the ease with which this could be done was to be left to the *arbitrium* of the Railway Commissioners. And, lastly, the materials of the brake must be "of a durable character, so as to be easily maintained and kept in order." How, he might ask, were the Railway Commissioners to estimate the ease with which all these various operations could be performed? Under the provisions of the Bill any crochety person who might be travelling on a railway would be able to bring a Railway Company before the Commissioners on the most trivial complaints with respect to the brake. The Commissioners were appointed in 1873 to settle legal questions connected with the administration of railways and the relation of one Company to another; but they were in no way qualified to pronounce an opinion on questions of practical mechanics, and it was most unfair to put upon them, after the lapse of some years, additional duties quite different to those for the discharge of which they were appointed, and among them the duty of issuing an injunction against a Railway Company on the ground that their brakes were bad, or that they did not comply with the conditions laid down in the Act of Parliament. He must object, therefore, to the proposal to impose these new duties on a tribunal which had already enough to do to attend to its own proper functions. Indeed, the noble Lord opposite (Lord Sudeley) had himself condemned the Bill, when he spoke of the unwillingness of the Board of Trade to relieve the Railway Companies of their responsibility. But what could be done if the Bill passed? The noble Earl in charge of it (Earl De La Warr), believing the brake of a Railway Company to be a bad one, might proceed against the Company before the Commissioners, who might give judgment and impose a penalty. The Company might then adopt a brake of the pattern recommended by the noble Earl, and if it turned out to be a bad one and a serious accident ensued, and if the Company were sued for damages, the answer would be—"It is not our doing, but the doing of the noble Earl and of the Railway Commissioners." If the Board of Trade asked Parliament for further powers, their Lordships would probably entertain the request and give it full consideration; but this measure, or any measure of a similar character, seemed to him to be full of danger, and one that would get them into difficulties; and he, therefore, hoped that the Bill would be withdrawn. If that course were not adopted, he should feel bound to support the Amendment for the Previous Question.

Earl DE LA WARR said, the course taken by the noble Lord (Lord Colville of Culross) was rather an unusual one—to move the Previous Question on the Motion to go into Committee on a Bill which had been read a second time without opposition, and more particularly so, when it was considered that the noble Lord had, to a certain extent, on that occasion, approved of its objects. The only inference he (Earl De La Warr) could deduce was that the noble Lord did not wish that the Bill should be considered on its merits, as it might be, in Committee. He could not see why the Bill should be objected to by a noble Lord who was identified with one of the largest of the Railway Companies, which for some time had had continuous brakes in use. He demurred to the assertion that there was any new principle in the Bill; the principle was adopted in America in 1869, and in this country in 1871; consequently, it was not a new one, and it was rapidly spreading. In France, all the principal lines used a brake with automatic action; in Belgium, and, he believed, also in Holland, a similar brake was adopted; and it was being gradually employed in Germany and Austria. There would be ground for objection if the Board of Trade were to insist upon a particular kind of brake; that would be far too great a responsibility for the Board of Trade to assume, and it would relieve the Railway Companies of the responsibility of arriving at a decision for themselves. But that was a very different thing from merely laying down certain requirements, which was all that the Bill would do. There were many brakes in use which were admittedly not efficient, and that notwithstanding the pressure which had been put upon the Companies for several years. It had been said that the block and interlocking systems were adopted without pressure; still, a Bill was introduced and referred to a Select Committee, and that of itself did amount to considerable pressure. And such pressure might be useful in the case of continuous brakes, by which he meant brakes attached to every wheel of a carriage, and all capable of being applied instantaneously. There were some brakes that it took several seconds to apply, and that was a matter of great importance in the case of a train travelling about 60 miles an hour, for it would run 30 or 40 yards in a second, and that might make all the difference between danger and safety. There was only one kind of continuous brake—the automatic—capable of the instantaneous action required in such a contingency. The noble Lord who moved the Previous Question had asserted that only 29 persons were killed on the railways in 1880; but he forgot to take into account the servants of the Companies, 700 of whom, on the average, were annually killed. In conclusion, the noble Earl expressed the hope that their Lordships would not hesitate to allow the Bill to go into Committee.

Earl GRANVILLE said, that the matter to which the Bill referred was one of great importance, involving as it did the public interests, so far as their safety was concerned. The Board of Trade were anxious that the measure should be referred to a Select Committee; but as no encouragement had been given to the adoption of that course, he could not help suggesting to the noble Earl (Earl De La Warr) that he would not further what he had so very much at heart by pressing the Motion to a division.

THE MARQUESS OF **SALISBURY** wished to say, with reference to the observation of the noble Earl (Earl Granville), that the objection taken was to referring the Bill to a Select Committee. If the Government thought a public object could be served by referring the whole question to a Committee of the Whole House, he was sure no objection would be made by noble Lords sitting on that side of the House.

Previous question put, Whether the said question shall be now put?

Resolved in the *negative.*

EGYPT (POLITICAL AFFAIRS).

MOTION.

LORD **STRATHEDEN AND CAMPBELL**, who had given Notice of his intention to "call attention to the Ministerial position;" and to move for further correspondence upon Egypt, said, that he had proposed to address the House at some length upon the Notice he had given; but he well knew that after the long and unexpected time absorbed in legislative Business it would be impossible to do so. He would, however, take the opportunity of referring for a moment to the state of Egypt. The House had seen the Ottoman despatch upon the naval movement of the Western Powers. The variance with the Western Powers it displayed might lead to the impression that some further measure would be necessary. Having given long attention to the subject, he would hazard the opinion that military occupation would only be admissible, if carried out by the Ottoman Empire. The Western Powers seemed inclined to that view, and it agreed with the language which a noble Marquess on the other side (the Marquess of Salisbury) had recently made use of. It was not only that such an occupation would be less unauthorized than any other. It would be far more easy to control it and to limit it. It would be controlled by the influence of the Western Powers at Cairo. It would be controlled by the influence of Germany at Constantinople. The difficulty of every military occupation was to restrict it to the aim and to the period which had been originally contemplated. An occupation wholly unattended by the hazard of surviving its true object ought to recommend itself; and, all the more, when it was the only one which could be upheld as authorized and regular. As the noble Earl the Secretary of State for Foreign Affairs (Earl Granville) might wish to make some declaration upon Egypt, he would now move for further correspondence with regard to it.

Moved, "For further correspondence upon Egypt."—(*The Lord Stratheden and Campbell.*)

EARL **GRANVILLE**: My Lords, some time before Easter a Notice appeared in your Lordships' Minutes, to call the attention of the House to the Ministerial position, and to move for a Return. M. Thiers, the late President of the French Republic, when appointed Minister of the Interior under Louis Philippe, revisited his native place, and called on the old schoolmaster and asked him whether he knew him? The old schoolmaster said he did not. "Do you not remember the little Adolphe?" asked M. Thiers. "Oh!" said he, "you were the little boy that was always playing tricks. What are you now?" "I am a Minister," answered M. Thiers. "Why, you don't mean to say that you have become a Protestant!" exclaimed the schoolmaster. When I read the Notice I do not go the length of saying I thought it referred to a minister of the Established Church or of the great Nonconformist Body; but I was absolutely in the dark as to what was the intention of the noble Lord. There is one day—the first day of the Session—a terrible day for the Government, one on which they are expected, more or less, to explain anything they may have done during the Recess; but afterwards, according to Parliamentary tactics, and the courtesy of Parties, some indication is generally given of any question or attack about to be made. For several days this sword of Damocles was held over our heads; but it was always silently and suddenly withdrawn a day or two before the day for which it was fixed. After Easter, however, the Notice suddenly reappeared; but although it was changed, it was not in a shape that made it much clearer. The only alteration was that the intention to move for a Return was omitted. The House adjourned on the day fixed, and the Motion did not come on, and then the Notice re-appeared with a specific allusion to Egyptian Papers. This, of course, gave a sort of inkling of the intention of the noble Lord, though I can hardly understand what it had to do with the position of the Ministry in general. The Notice is one which is really no Notice at all. It does not disclose the object in view, and it does not seem to indicate the subject on which the noble Lord would speak. The Motion stood in that form for several weeks. I had, in reply to the noble Marquess opposite (the Marquess of Salisbury), to address to your Lordships last week a statement with regard to the position of Egyptian affairs. That statement the noble Marquess opposite was good enough to say did not appear to be altogether unsatisfactory; and he expressed strongly an opinion, in which your Lordships seemed to agree, that this question of Egypt was one of extreme importance and delicacy, and one in regard to which it was desired not in any degree to embarrass the Government. This seemed to strike my noble Friend too, for he withdrew his Motion; but in a few days it re-appeared in exactly the same form. I am very anxious to give your Lordships information about Egypt. I gave you a perfectly accurate statement of the position the other day, and I should like now to give your Lordships more information, and particularly to dispel various conflicting rumours which are going about; but I think it would not be for the public advantage for me at this moment to go further into the matter, and I must, therefore, decline to agree to the Motion.

Lord STRATHEDEN and CAMPBELL said, as there was still a Motion before the House, he might be expected to answer for a moment some of the remarks the noble Earl (Earl Granville) had offered. It might be satisfactory to learn that the troubled aspect of events in various directions inspired the Secretary of State for Foreign Affairs with nothing but unlimited hilarity. The House might well have exclaimed as he went along, in a well known phrase—*Quam facetum Consulem habemus.* The noble Earl objected greatly to the term "Ministerial" as ambiguous. He (Lord Stratheden and Campbell) would not contend that it could never be employed in different senses. In an hotel abroad, some years ago, where the Leader of the Opposition in this country had been passing, the question was referred to him (Lord Stratheden and Campbell) whether such a personage ought to be entered in the books of the police as a Minister of State or a minister of religion. Amongst ourselves long consecrated usage in Parliamentary proceedings might relieve the noble Earl from any doubt as to what was meant by "Ministerial." As to what could be said against the present Ministerial position, it was probable that the noble Earl would have, after Whitsuntide, sufficient opportunities of learning. He would, in deference to what had been said by the noble Earl, withdraw the Motion.

Motion (by leave of the House) *withdrawn.*

BOILER EXPLOSIONS BILL.—(No. 85.)

(*The Earl of Derby.*)

SECOND READING.

Order of the Day for the Second Reading read.

The Earl of DERBY, in moving that the Bill be now read a second time, said, that it had received the general assent of the other House of Parliament. The Bill provided that notice of every case of boiler accident should be given to the Board of Trade, after which an inquiry would be instituted if the Board of Trade thought it necessary. The Board had an option in the matter. Boiler explosions were of frequent occurrence in manufacturing districts, and it had been ascertained without doubt that out of 1,000 accidents from boiler explosions, all but an inappreciable minority arose from the badness of the boilers. Some, no doubt, also from carelessness or negligence. But there was no doubt that in most cases they were preventible. If inquiries were more generally made, defects might be discovered—whether they were in the original construction, or from wear and use, and these inquiries might lead to better boilers being used. Since 1865 1,051 persons had been killed, and 1,519 injured by boiler explosions. A striking proof of the preventibility of these accidents was afforded by the operations of an association called the Manchester Steam Users' Association. That Association provided for the inspection of the boilers of its members. It also undertook to guarantee against accidents, and not a single loss of life had occurred during the time that he had mentioned to the boilers of persons belonging to that Association. He thought that that was ample proof of the truth of what he had said, that these accidents were preventible. As things were now, there was only a Coroner's inquest in case of death. But the inquiry ought to be rather one of scientific experts than of a Coroner's Jury. It had been suggested by some persons that the Board of Trade should hold periodical examinations of boilers; but that might be too onerous and too inquisitorial a method, and the Bill provided an appropriate middle course. If it were found that the Bill did not go far enough it would be open to either House of Parliament to introduce a more stringent measure. He, therefore, begged to move the second reading of the Bill.

Moved, "That the Bill be now read 2^a."—(*The Earl of Derby.*)

LORD SUDELEY said, that the Board of Trade thoroughly approved of the Bill, and was very glad to see that the noble Earl (the Earl of Derby) had charge of it; but, in Committee, some Amendments would have to be made.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* the 12*th of June* next.

IRELAND—IRISH POLICY OF THE GOVERNMENT — RELEASE OF MR. PARNELL AND OTHERS.

POSTPONEMENT OF QUESTION.

THE MARQUESS OF WATERFORD, who had a Notice on the Paper—

> "To ask Her Majesty's Government whether the negotiations connected with the understanding known as the Treaty of Kilmainham have been brought to a conclusion; and whether Her Majesty's Government will, according to the usual practice, lay Papers on the Table of the House,"

said, that in consequence of the statement which he understood had been made by the Prime Minister in "another place," he wished to postpone his Question until after the Whitsuntide Recess. He hoped, however, that by that time, when he should again put the Question, information on the two points raised would be forthcoming.

EARL GRANVILLE: I wish to ask the noble Marquess opposite (the Marquess of Waterford) whether his Question after the Vacation will be in the same terms as the one standing in his name on the Notice Paper, inasmuch as a precisely similar Question has been placed on the Notice Paper of the House of Commons, and has not been allowed to be asked by the Speaker?

THE MARQUESS OF WATERFORD: I have given Notice of another.

THE MARQUESS OF SALISBURY: It seems to me to be irregular on the part of the noble Earl opposite (Earl Granville) to discuss the terms of a Motion which has not been brought before the House.

EARL GRANVILLE: In order to put myself in Order I shall move the adjournment of the House. I think we ought to have the Notice before us. I must say I read the Notice on the Paper with intense surprise, especially as coming from one who has addressed the House several times within the last two years on the subject of Ireland, sometimes with warmth, but always with earnestness and dignity. I certainly was surprised, then, at the terms of the Notice, and I asked whether it was one which would have been permitted to be presented in the House of Commons; and the answer I received was that a Notice in exactly the same terms as that proposed by the noble Marquess had been prevented by the Speaker from being presented in such terms. Therefore, I think I am quite in Order in the course I have taken, and that I am doing a service to the dignity of this House in making a remonstrance against the Notice of the noble Marquess as it stands. I do not believe the noble Marquess to be the author of the Question. I feel pretty sure that it proceeds from other quarters.

THE MARQUESS OF SALISBURY: My Lords, it appears to me to be a most unfortunate and irregular proceeding for the noble Earl opposite (Earl Granville) to raise this discussion at a time when the Notice itself is not under the consideration of the House. I am entirely unable to agree with the noble Earl in the estimate he has formed of the terms of that Notice. I will not undertake to answer for every word of it; but it appears to me that it expresses very fairly the very anomalous position in which the House and the country have been placed by the action of Her Majesty's Government. It points out, as far as I can judge, an analogy which, it appears to me, is quite applicable, and which it is important, I think, that the country should not forget, and which the Government itself has been unwittingly drawn into in this matter. The inconvenience of the course taken by the noble Earl is that the remarks he has made open up the whole question of the policy and conduct of Her Majesty's Government, which requires serious and careful discussion in a House very differently constituted from that we now see before us, when there are very few Peers present. But I confess that it appears to me that the noble Marquess (the Marquess of Waterford) is quite right in speaking of this as an understanding, as he has done, and in pointing out that it is a Treaty that has been made with an alien Power—made with a Power that, at any rate, relies upon alien support for its resources—with a Power whose objects are not the objects of England, but whose objects are inconsistent with the interests of England. I demur entirely to the irregular course which, it seems to me, the noble Earl has taken, and I am bound to say that I am unable to concur with him in saying that the terms of the Question inadequately represent the real facts of the case, or are in any way inconsistent with the ordinary form observed by your Lordships' House. I do not desire to deal at any greater length with the whole of the questions which the terms of the Notice raises. They are fitted to be brought before a larger House, and to be commented upon with more detail and ceremony than can now be bestowed on them; and, when we consider their numbers, to be brought fully before the attention of the people whose interests they are intended to preserve.

EARL GRANVILLE: My Lords, I rise to move that this House do adjourn until Thursday, the 1st of June; and I will take this opportunity of stating that it appears to me that I was perfectly regular, and that the noble Marquess opposite (the Marquess of Salisbury) has committed exactly the same irregularity of which he complains. We have no one here to regulate the proceedings of this House, or guide us in difficulties. In the House of Commons the Speaker discharges that function with great advantage; but here the proceedings are regulated by the order of the House itself. I was perfectly entitled, in regard to a matter which had been ruled by the Speaker in the House of Commons, to say that the Notice was one which was improper to be given, and I was perfectly in Order when I asked the noble Marquess (the Marquess of Waterford) whether his Notice was in the same words as the Notice ruled by Mr. Speaker to be improper or not. Because, certainly, it would have been my duty, if he had answered in the affirmative, to have given Notice that I should move the House not to allow the Question to be put in that shape. I do not see what other course I could have taken. I was perfectly regular in the course I was taking; but the noble Marquess (the Marquess of Salisbury) rushes in and takes upon himself the paternity of the objectionable Notice and defends it, and then he reproaches me with the irregularity which he alleges I have committed, when he himself has been guilty of the grossest irregularity. I must say that, in my opinion, I should be entirely justified and supported by the good feeling and good sense of the House in taking the steps I proposed to take in regard to the Question, of which the noble Marquess is himself, possibly, the author, and to which he seems to have not the slightest objection, but rather to be desirous to give it his full and cordial support. I must also say, when I just now said that I thought the noble Marquess (the Marquess of Waterford) had put the Notice on the Paper inadvertently, and that he was not the author of it, I was quite justified in my statement. The noble Marquess has had the good feeling and good sense to change his Notice, and give one which is entirely unobjectionable.

Moved, "That this House, on rising, do adjourn to Thursday the 1st of June next."—(*The Earl Granville.*)

On question, *agreed to.*

House adjourned accordingly at half past Seven o'clock, to Thursday the 1st of June next, at a quarter past Four o'clock.

HOUSE OF COMMONS,

Monday, 22nd May, 1882.

MINUTES.] — New Member Sworn — Isaac Holden, esquire, *for* the Northern Division of the County of York.

Supply — *considered in Committee* — *Resolutions* [May 19] *reported.*

Private Bill (*by Order*)—*Third Reading*—Midland Railway, and *passed.*

Public Bills—*Ordered*—*First Reading*—Local Government (Ireland) Provisional Order (No. 4) * [173]; Local Government Provisional Orders (No. 9) * [174].

Second Reading—Local Government Provisional Orders (No. 5) * [160]; Arrears of Rent (Ireland) [163], *debate adjourned;* Poor Rates * [171].

Committee—Poor Law Guardians (Ireland) [7] —R.P.

Committee—*Report*—Irish Reproductive Loan Fund Act (1874) Amendment [133].

Report—Local Government Provisional Orders * [131]; Local Government Provisional Orders (Poor Law) * [130].

Third Reading—Metropolis Management and Building Acts Amendment * [107], and *passed.*

QUESTIONS.

CONTAGIOUS DISEASES (ANIMALS) ACTS—DAIRIES, &c. ORDER, 1879—MILK.

Lord GEORGE HAMILTON asked the Vice President of the Council, Whether steps are being generally taken by local authorities to carry out the provisions of the dairies, cow-sheds, and milk-shops Order of July 1879; and, considering the supposed transmissibility of tubercular disease through infected milk, he could take steps to make tuberculosis a "disease" for the purposes of paragraph eight of this Order?

Mr. MUNDELLA: We have reason to believe that, except for the purpose of registration, very few local authorities have carried out the provisions of the Dairies Order, as they have no special officers for the inspection of dairies. The Privy Council have been in communication with the Local Government Board on this subject; and inasmuch as the question relates rather to human health than to the prevention of animal diseases, it has been agreed to bring in a short Bill to repeal Section 34 of the Contagious Diseases (Animals) Act, and to authorize the Local Government Board to treat the question as one affecting the public health. The Bill is in preparation, and will shortly be introduced.

STATE OF IRELAND—THE EARL OF NORMANTON'S TENANTRY.

Mr. REDMOND asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that on Sunday April 30th the Rev. John McGrath, of Kilteely, county Limerick, with a view to bring about a settlement, invited the tenants of Lord Normanton to come to him, one at a time, in his sacristy, to sign a petition to their landlord for a reduction of rent; whether acting constable Costello forced his way into the sacristy, and posted three of his men at the door, and refused to leave, although no meeting of any kind was being held; and, whether he approves of the police interfering to prevent settlements being arrived at between landlords and their tenants?

Mr. TREVELYAN: I find that it is the case that on Sunday, the 30th of April, the Rev. Mr. McGrath, after celebration of Mass, invited tenants on Lord Normanton's estate into his sacristy to sign a petition for an abatement of rent. Constable Costello entered the sacristy uninvited, and was told by the reverend clergyman that he had no business to be there, unless he came prepared to sign the petition. This he refused to do, and left the sacristy at the request of the clergyman. He remained in the chapel yard without interfering further; and when the meeting was over he was called into the sacristy by the clerk, and the document was again tendered to him for signature. He declined to sign it, unless he was allowed to read it; but this was refused, and he was told to go away, which he immediately did. He did not force his way into the sacristy, nor did he place any of his men at the door. I do not think the constable acted with discretion on the occasion. So far as I can form an opinion, there seems to have been no necessity for his entering the sacristy until he was invited to do so, and I will let the Constabulary authorities know my opinion on the matter.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881 —MR. HENRY O'MAHONY.

MR. REDMOND asked the Chief Secretary to the Lord Lieutenant of Ireland, If Mr. Henry O'Mahony, at present detained in Monaghan Prison, and who is an American citizen, has been prevented from applying to the Government of the United States in reference to his case; whether the authorities have intercepted and detained letters addressed by Mr. O'Mahony to Members of this House, making complaints as to prison treatment; and, whether it is true that Mr. O'Mahony and other American citizens have been offered large sums of money by the Government to leave the country?

MR. TREVELYAN: I cannot find that there is any proof that Mr. O'Mahony is an American citizen. He has not been prevented from applying to the United States Government in reference to his case. On the contrary, I understand that he has written to and received letters from the United States Representatives. I believe some letters of his were suppressed in consequence of their tone. He was informed of this, and told that he might appeal to the Chief Secretary; but he stated that he would have nothing to do with the Chief Secretary. Her Majesty's Government have not offered any money to Mr. O'Mahony or to any American citizens to induce them to leave the country.

NAVY—REPORTS ON MARINE OFFICERS.

MR. GORST asked the Secretary to the Admiralty, If he could state why the Lords of the Admiralty have excluded the Royal Marines from the operation of the recent Army Order, which requires that whenever an officer is disadvantageously reported upon he is to be informed of the particulars of such report by the officer making it, and have directed that in the Royal Marines such report may be communicated to the officer or not at the discretion of the Colonel Commandant; and, whether he sees any objection to officers of the Royal Marines having the same opportunity of knowing the particulars of any disadvantageous report made against them as is accorded by the recent alteration in the Queen's Regulations to Officers of the Army?

MR. CAMPBELL-BANNERMAN: It is not the case that the Royal Marines have been excluded from the operation of a recent Army Order. The Royal Marines are not affected by the General Orders issued to the Army, but are subject to the control of the Board of Admiralty and to the regulations for the government of the Navy. As a matter of fact, the General Order referred to has not introduced any new practice into the Army, but has merely altered the manner in which an officer receives information of an unfavourable report made upon him. The rule in the Navy, which applies to the Royal Marines, is that it is left to the discretion of the officer making a report to decide whether or not he shall communicate it to the officer reported upon. This rule was adopted after careful inquiry, as being most in accordance with the general wish of the Service.

MR. GORST inquired whether there was not an Admiralty Circular which expressly stated that the officers of the Royal Marines were excluded from this Order?

MR. CAMPBELL-BANNERMAN said, that his attention had not been called to such a document; but he would inquire whether anything to the effect indicated by the hon. and learned Member had been issued.

IRELAND—BALLINASLOE FAIR.

MR. HEALY asked Mr. Attorney General for Ireland, If a company of soldiers, and 80 extra police were drafted into Ballinasloe for the holding of Lord Clancarty's fair on the 8th and 9th May; whether this was owing to apprehension that resistance would be offered to the payment of tolls; if so, at whose instance these forces were sent, and at whose expense; whether it is the fact that Mr. Dermod Fox alleges that he is the proprietor of the tolls for fairs holden on the 9th May, and that Lord Clancarty was acting illegally; whether the illegal collection of tolls is an offence against the law; and, if so, whose duty it is to take cognisance of such an offence; whether Mr. Fox sent a memorial to the Lord Lieutenant on the 24th April, praying that Lord Clancarty might be restrained from levying tolls on the 9th May; and if it was in fact a dispute between two private individuals as to the right to take tolls, why the Government took the side of Lord Clancarty by enabling him with troops and police to collect tolls?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): In answer to the first three Questions of the hon. Member, I have to state that, on the application of the Resident Magistrate, 50 soldiers and 50 constabulary were sent to the Ballinasloe Fair on the 8th and 9th of May to preserve the public peace, and not owing to any apprehension that resistance would be offered to payment of toll. Of these constabulary 20 were extra men, and half their cost will be defrayed by the county. Mr. Fox memorialized the Government on the 24th of April to prevent Lord Clancarty from holding this fair, alleging that it was without authority and would interfere on the same day with the tolls of Kilconnell Fair, which he alleged he held under Lord Dunsandle. He was informed, in reply, that it was not a matter for the interference of the Government, and that he must be guided by his own legal adviser. In reply to the fourth and fifth Questions of the hon. Member, it is a self-evident proposition that the illegal collection of toll is an offence against the law and cognizable in a proper case by the Crown. In this case, however, if there was any real dispute, it was that Mr. Fox alleged pecuniary loss by an infraction of his private right, and the Government very properly took no side in the matter; they merely, as their duty was, provided on the magistrate's application a sufficient force to preserve the public peace, and left private individuals to settle their private rights under the advice of their own solicitors.

MR. HEALY desired to know whether the Government had evidence that the Resident Magistrate was not in collusion with Lord Clancarty?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, there was no collusion. The Resident Magistrate stated the grounds on which he thought a violation of the public peace probable, and they had no connection with the collection of tolls.

MR. HEALY gave Notice that at a future date he would call attention to this imposition of an extra police force on the County Galway to enable Lord Clancarty to collect his unjust tolls.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) considered this statement not quite fair. He had deliberately stated, having first taken pains to satisfy himself on the subject, that the extra police were sent there solely to prevent a disturbance of the public peace, and that they had not the smallest connection with the collection of tolls.

PRISONS (ENGLAND)—THE CONVICT FURY.

SIR JOSEPH PEASE asked the Secretary of State for the Home Department, Whether he has caused inquiries to be instituted into the statements made by the convict Fury, who was executed at Durham on Tuesday last, as to the treatment he experienced in convict prisons?

SIR WILLIAM HARCOURT, in reply, said, he had caused inquiry to be made in this matter, and he was satisfied—as might have been expected to be the case—that these allegations were entirely unfounded and untrue.

POST OFFICE—THE NEW PARCELS POST.

MR. BROADHURST asked the Postmaster General, Whether, in the event of his successful establishment of the Post Office parcel system, he will take into consideration the desirability of arranging a plan like that known in Germany as the "Pay on Delivery" system?

MR. FAWCETT, in reply, said, the introduction of a Post Office parcel system would form so large an addition to the work of the Post Office that he would rather defer the consideration of such a scheme as that suggested by his hon. Friend until the parcel post had been brought into actual operation.

THE ROYAL IRISH CONSTABULARY—POLICE PATROLS IN PHŒNIX PARK, DUBLIN.

MR. REDMOND asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that during the Chief Secretaryship of the Right honourable Member for Bradford, special police patrols were constantly on duty in the vicinity of the Viceregal Lodge in the Phœnix Park; whether such police patrols were maintained up to the morning of the day upon which the recent assassinations took place, when they were suddenly withdrawn; and, whether he will state who is responsible for their withdrawal, and what steps he has taken in the matter?

Mr. TREVELYAN, in reply, said, he would answer that Question on Thursday, and he was sure he could give the hon. Member satisfactory reasons in private for postponing it.

COPYRIGHT—LEGISLATION.

Sir H. DRUMMOND WOLFF asked the President of the Board of Trade, Whether Her Majesty's Government are prepared, when the state of public business will allow, to consider the whole question of copyright; and whether it is their intention to countenance the Bill now before the House, introduced by the honourable Member for East Worcestershire, which deals with only one portion of the subject?

Mr. CHAMBERLAIN, in reply, said, that, in his opinion, the present state of the Law of Copyright was not satisfactory. If there were the slightest chance of doing so with advantage, he would be very glad to direct the attention of the House to the subject. He believed, with the hon. Gentleman, it was a subject which it would be more convenient to treat as a whole than as a part. As regarded the Bill of the hon. Member for East Worcestershire (Mr. Hastings), it was introduced without consultation with the Board of Trade, and it had not the support of the Department. [Mr. Warton: Hear, hear!]

AFGHANISTAN—AFZUL KHAN'S MISSION TO CABUL.

Mr. ONSLOW asked the Secretary of State for India, Whether he can now lay upon the Table the Correspondence which has taken place regarding the appointment of Afzul Khan as British Envoy to the Court of Cabul, also a Copy of the instructions given to Afzul Khan as to his duties while so employed?

The Marquess of HARTINGTON: I have no doubt the hon. Member is aware that there was some Correspondence on this subject, which was contained in the Papers laid before Parliament last Session. All that has happened since then has been a telegram from the Viceroy in February, stating that the Ameer was willing to receive Mahomed Afzul Khan as an Envoy from the British Government, and it has been proposed to send him in that capacity. I at once telegraphed my assent, and I believe that Afzul Khan has proceeded on his way to Cabul. I have not yet received any further Correspondence on the subject. I think it would not be convenient to the Public Service to lay on the Table a Copy of the Instructions given to Afzul Khan.

THE LAND COMMISSION (IRELAND)—LABOURERS' COTTAGES.

Mr. VILLIERS STUART asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the statement of the Sub-Commissioners, at Macroom, on the 17th instant, to the effect that an order for building a labourer's cottage on a farm in the neighbourhood had been entirely disregarded by the tenant, the labourer being compelled to live in a wretched shed fixed against one of the fences, and to their complaint that the Land Act furnished them with no means of enforcing such an order; and to the statement, on the same occasion, of Mr. Beytegh, the solicitor, that none of the tenants in the East Riding of the county of Cork had complied with the directions of the Sub-Commissioners to build labourers' cottages; and, whether Her Majesty's Government, with a view to the pacification of discontent in Ireland, would take steps to render the Clauses which constituted the sole provision for amending the condition of farm labourers in Ireland more effective, and, if possible, to extend them?

Mr. TREVELYAN: The noble Lord the Member for North Leicestershire (Lord John Manners) puts a Question on the same subject, and I will answer both Questions together. I have not had sufficient time given me to enable me to inquire into the particular case mentioned as having arisen at Macroom; but the Land Commissioners inform me that they have received only one complaint of orders by Sub-Commissioners with respect to labourers' cottages having been disregarded. The Commissioners, however, state that they have reason to believe that these orders have been, to a great extent, neglected. The only penalty for non-compliance, to which the Question of the noble Lord the Member for North Leicestershire refers, is attachment of the person of the disobedient party or sequestration of his goods. There are strong objections to enforcing orders by such means, and it may be found necessary to provide an additional mode of enforcing them by some further legislation. The Land Commissioners would be very happy to make suggestions on the subject, and I will make a minute requesting them to do so accordingly.

EMIGRATION RETURNS.

Mr. MOORE asked the President of the Board of Trade, Whether there would be any objection to produce a Return showing how far the recommendations made by the Board of Trade last July, with regard to emigrants, have been complied with, stating the name of each line, and which of the several recommendations have been put in force?

Mr. CHAMBERLAIN, in reply, said, there would be no objection to produce the Return mentioned. If the hon. Member would put a Motion on the Paper for it, he (Mr. Chamberlain) would be very glad to treat the Return as unopposed.

POST OFFICE—AUXILIARY LETTER CARRIERS.

Baron HENRY DE WORMS asked the Postmaster General, Whether he has yet arrived at any decision with regard to the Petition of upwards of a thousand auxiliary letter carriers, which was sent to him on the 27th of May of last year?

Mr. FAWCETT: In reply to the hon. Member I can only repeat the answer that I gave about a fortnight since—that I have been for some time in communication with the Treasury in reference to Memorials which I have received from letter-carriers, and that I hope shortly to be able to give effect to the decision which may be arrived at.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—LAWRENCE HALPIN AND HUGH SMITH.

Mr. SHEIL asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he will consider the cases of Mr. Lawrence Halpin, now confined in Armagh Gaol, and of Mr. Hugh Smith, confined in Naas Gaol, both from the county of Meath, with a view to their release?

Mr. TREVELYAN: In the case of Hugh Smith, the Lord Lieutenant considers that he may now safely be released, and his release has been ordered accordingly to-day. The case of Lawrence Halpin was re-considered on the 10th of April, when it was decided that he could not be released with safety to the district. Further inquiries are now being made, and the case will be submitted for His Excellency's decision when they are completed.

ARMY PAY DEPARTMENT.

Colonel O'BEIRNE asked the Secretary of State for War, Why the Army Pay Department, now the second largest in the Army, is the only department that has no officer to represent it at the War Office?

Mr. CHILDERS: The Question asked by my hon. and gallant Friend does not really disclose the real point at issue. It is not so much a question of Departments being represented at the War Office as of the sufficiency or insufficiency of the control exercised over them by the present staff; and the suggestion which really underlies my hon. and gallant Friend's Question is whether the discipline of the Pay Department should not be removed from the Accountant General to the Adjutant General, and an additional officer appointed for this purpose to the latter office. I am not prepared at this moment to entertain such a proposal; but several questions as to the business of the Accountant General's office must be discussed this year, and this will probably be one of them.

EGYPT (POLITICAL AFFAIRS).

Mr. ASHMEAD-BARTLETT asked the Under Secretary of State for Foreign Affairs, Whether the assent of the Sovereign of Egypt and of the other Great Powers has been obtained to the course of political intervention which the Government stated to have been agreed upon between France and England; and, if not, whether he can give the reasons? He did not refer to the despatch of the Fleet to Alexandria, but to the ulterior course of action that had been agreed upon.

Sir CHARLES W. DILKE: Her Majesty's Government are very anxious to give all information in their power with regard to the affairs of Egypt, in order to put an end to the conflicting rumours which prevail on the subject. They do not, however, consider that it is for the public advantage to add at the present moment anything to the statements which were made in Parliament on Monday last. But they continue to entertain the favourable opinion and confident hopes which they then expressed in both Houses. With reference to the explanation given by the hon. Member of this Question, and to the Notice given publicly just now by my hon. Friend the junior Member for Greenwich (Baron Henry de Worms) as to an agreement between the Government and the Government of France as to what have been called eventualities, I stated on Monday last that such an agreement had been come to. With regard to the second portion of the Question just given, I fear I shall not be able to reply to it on Thursday next, or to lay the agreement before Parliament.

Mr. ASHMEAD-BARTLETT asked if the assent of the Porte had been obtained?

Sir CHARLES W. DILKE said, he would not be justified in answering that Question either in the affirmative or in the negative. He had already stated that, in the opinion of Her Majesty's Government, it would not be conducive to the interests of the Public Service that any further statements should be made at the present time, although they maintained the confident hope expressed by them on Monday last.

Mr. A. J. BALFOUR asked if it was consistent with the public interests that the Government should state whether it was true that all the points in the Suez Canal were in the occupation of French gunboats?

Sir CHARLES W. DILKE said, that the report was not true.

Mr. O'DONNELL inquired, in reference to a statement made in the House on Monday last that the measures of the Government would obtain the support of the Porte, whether it was true that the Porte had protested against the action of Her Majesty's Government?

Sir CHARLES W. DILKE said, he had already stated that Her Majesty's Government entertained the belief which they stated on Monday last—namely, that the measures they proposed would be satisfactory to the Porte.

Sir H. DRUMMOND WOLFF asked whether Her Majesty's Government had taken steps to secure the safety and freedom of the traffic through the Suez Canal?

Sir CHARLES W. DILKE said, it would not be right to say more than that the subject was receiving the earnest attention of Her Majesty's Government.

Mr. ONSLOW asked whether the same instructions had been given as were given to the Naval Demonstration at Dulcigno—namely, that under no circumstances was a shot to be fired?

Sir CHARLES W. DILKE said, no such instructions were given in the Dulcigno case.

IRISH CHURCH TEMPORALITIES COMMISSION (FINANCIAL AFFAIRS).

Mr. GIBSON asked the Financial Secretary to the Treasury, Why the Return showing the financial position of the Irish Church Temporalities Commission, ordered by the House on the 27th February, presented on the 4th April, and ordered to be printed on the 24th April, has not been circulated; what has been the cause of this delay; and, if (having regard to the great importance of the subject at present) he would now state to the House the results shown in such Return?

Mr. COURTNEY: The Return was made up, but not in satisfactory form. An improved Return has been in preparation, and is nearly completed. I hope it may be circulated before the end of the present week. The special cause of delay arose from the desire to obtain accurate information as to the arrears of income. Speaking generally, the result of the Return will fully support the statement of my right hon. Friend (Mr. Gladstone) in introducing the Arrears Bill on Monday last.

Mr. GIBSON: Considering everything, will the hon. Member give no further information?

Mr. COURTNEY: I am afraid not.

NAVY—COMMANDING OFFICERS' FAMILIES.

Mr. CALLAN asked the Secretary to the Admiralty, Whether the lately issued order of the Admiralty permitting commanding officers' wives to reside on board harbour ships extends to the female relatives of the commanding officers, or those of their wives, and whether he will have any objection to lay upon the Table of the House a Return of the names and position of ladies who have resided on board harbour ships, especially those stationed at Portsmouth during the last six months; and, whether it is a fact that the sub-officers of Her Majesty's ships strongly object to the introduction of women on board ship as residents, on the ground that the best portions of the ship are appropriated to their use, and that their presence materially interferes with the regular discipline and harmonious working of the ship?

MR. CAMPBELL-BANNERMAN: In 1878 an order was given that the wives of commanders of training ships for boys might live on board, and in 1879 this was extended to the captains of the flagships at Portsmouth and Devonport, it being considered necessary, for the proper discharge of their duties, that these officers should be almost constantly on board their ships. Of course, this permission included any ladies who would have lived in their houses had they resided on shore. The Admiralty have no reason to believe that this rule has been misused, nor have any reports or complaints of the kind referred to by the hon. Member been received.

ARMY (AUXILIARY AND RESERVE FORCES).

MR. DIXON-HARTLAND asked the Secretary of State for War, Whether it is the case that officers of the Royal Marine Artillery and Royal Marine Light Infantry are disqualified by the Warrant of July 1881 from obtaining Adjutancies of Auxiliary and Reserve Forces; whether he has any objection to state whether any officers of the Royal Marine Force have, notwithstanding, been appointed to such Adjutancies since the issue of that Warrant; and, whether it is his intention to allow these appointments to be similarly filled in future?

MR. CHILDERS: In reply to the hon. Member, I have to say that it is evidently inconsistent with the present organization that officers of the Marine Artillery or Infantry should be eligible for Adjutancies of the Auxiliary Forces, and this has been provided in the Warrant of the 25th of June, 1881. Between, however, the date of the Warrant itself and the corrigenda Warrant, three appointments of this character were made; but this has now been finally settled, and the Volunteer Regulations, which were inconsistent with the Warrant, will be amended accordingly.

MR. W. H. SMITH asked if he understood that Marine Artillery officers would no longer be eligible for Adjutancies of Volunteers?

MR. CHILDERS replied, that that must be so under the Regulations.

EVICTIONS (IRELAND)—ERECTION OF HUTS FOR EVICTED FAMILIES ON THE ESTATE OF LORD CLONCURRY AT NURROE, COUNTY LIMERICK.

MR. DILLON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the police still refuse to allow houses to be erected for the thirty families evicted by Lord Cloncurry in Nurroe, county Limerick; whether the site selected for these houses was some miles distant from the farms from which the tenants had been evicted; whether two Dublin carpenters, who were engaged in erecting these houses, have been arrested and are now in Limerick Gaol, no offence being alleged against them, except their being engaged in constructing these houses; and, whether the Irish Government are prepared to make any statement in reference to police interference with the erection of shelter for evicted tenants in Ireland?

MR. TREVELYAN: As to the distance of the huts from the farms of the evicted tenants, I have got information from Dublin; but it is not in sufficient detail to satisfy my own mind, and I cannot expect that it will satisfy others. I shall not feel satisfied until the highest Executive authorities in Dublin have inquired into the question, and I hope to be able to give an answer on Thursday.

IRELAND—IRISH POLICY OF THE GOVERNMENT—RELEASE OF MR. PARNELL AND OTHERS.

SIR H. DRUMMOND WOLFF asked the First Lord of the Treasury, Whether, considering the great interest excited by a recent political incident, he will consider it possible to lay upon the Table the letter already cited in debate addressed by him to the late Chief Secretary to the Lord Lieutenant on learning the contents of the letter addressed by the honourable Member for Cork to the honourable and gallant Member for Clare, and the result of the conversation held by those two honourable Members at Kilmainham? The hon. Member explained that the words "on learning," in his Question were erroneously printed in the Notice Paper "on leaving office."

Mr. GLADSTONE: The hon. Member has kindly adverted to an important error in the printing of his Question which entirely alters its scope and bearing. On that account it might, perhaps, be more convenient if he would put it to me to-morrow at 2 o'clock. But I also wish him to do that on another ground. He will himself see that the production of one letter as between one Member of the Cabinet and another is not very usual, and I should like to have an opportunity of consulting my Colleagues before I give an answer.

Sir H. DRUMMOND WOLFF said, that he should not have asked for the letter if it had not been cited in debate by the right hon. Gentleman.

Lord ELCHO wished to know whether the attention of the Prime Minister had been directed to the following words used by Mr. Michael Davitt when presiding at a Land League meeting at the Manchester Free Trade Hall on Saturday:—

> "The Prime Minister deceived himself egregiously if he believed that the Land League movement was about to efface itself all the world over because he had been converted to Mr. Parnell's views upon the Arrears Question, and had accepted the services of Mr. O'Shea in effecting the Treaty of Kilmainham. The Land League movement was organized to effect a complete abolition of Irish landlordism, and until that work was fully and completely accomplished there could be no alliance between the people of Ireland and the Whig Party of this country . . . . . Had Mr. Gladstone been in the confidence of the secret societies, he could not have more completely played into their hands."

He wished to ask whether, under those circumstances, the right hon. Gentleman thought there was any use in persevering with the singular measure which stood first in the Orders for that Day?

Mr. GLADSTONE: The passage which has been read by my noble Friend has no bearing whatever, in my judgment, and, I believe, in the judgment of my Colleagues, upon the propriety of proceeding with the Arrears of Rent (Ireland) Bill to-night.

PREVENTION OF CRIME (IRELAND) BILL—SUSPENSION OF TRIAL BY JURY—THE JUDGES.

Mr. PATRICK MARTIN asked the First Lord of the Treasury, If his attention has been called to a meeting of the Judges of the Supreme Court of Judicature in Ireland, held on Thursday last, to consider the duties proposed to lie upon the Judges under the provisions of the Prevention of Crime (Ireland) Bill, when it was resolved unanimously,

> "That, in the opinion of the Judges of the Supreme Court, the imposition upon them of the duty imposed by the Prevention of Crime (Ireland) Bill would seriously impair public confidence in the judicial office, and thereby permanently injure the administration of justice in Ireland;"

and, having regard to the unanimous pronouncement on the part of the bench of Irish Judges, is it the intention of Her Majesty's Government to retain those Clauses in the new Coercion Bill which suspend trial by jury, and vest in Judges, selected by the Lord Lieutenant, the trial of treason, and the other offences mentioned in the Bill?

Mr. GLADSTONE: I have seen the Resolution to which the hon. Member refers; but I am bound to say that the matter is one which was very carefully considered by the Government before that Resolution appeared; and, setting aside any questions of detail, I may say that the clauses in the Bill referred to contain the deliberate conclusion of the Government.

Mr. JOSEPH COWEN wished to ask the Prime Minister, Whether, before drafting the new Coercion Bill, the Government consulted the Irish Judges, or any one of them, before conferring, or intending to confer, upon them the powers contained in the Bill?

Mr. GLADSTONE: No, Sir; we did not consult the Irish Judges. With respect to the question whether any one of them was consulted, the hon. Member is probably aware that the head of the Irish Legal Profession, the head of the Irish Bench, is a Member of the Executive Government. I imagine he does not refer to the Lord Chancellor.

THAMES RIVER POLLUTION.

MR. THOROLD ROGERS asked the Secretary of State for the Home Department, Whether he had taken any steps in view of the terribly polluted condition of the Thames between London Bridge and Gravesend?

SIR WILLIAM HARCOURT, in reply, said, that he was not able at present to give a complete answer to this Question. He had written to the Metropolitan Board of Works upon the subject, and he had received an answer from them. He hoped in a day or two to be able to make a statement, which he trusted would be satisfactory to the hon. Member, as to the course the Government would take with a view to a thorough investigation of this matter.

IRELAND—COMPENSATION TO THE FAMILIES OF MURDERED TENANTS.

MR. BRODRICK asked the Prime Minister, Whether he could now state what compensation, if any, the Government intended to propose to the destitute families of Irish tenant farmers who had been murdered for paying their rent?

MR. GLADSTONE: I have received no communication from the Irish Executive on the subject, and I think it is one which, in the first instance, will be rather for their consideration than for mine.

MR. BRODRICK gave Notice that he would repeat the Question on Thursday, when he would put it to the Chief Secretary for Ireland.

ARMY—CHELSEA HOSPITAL—PENSIONS.

SIR EDWARD REED asked the Secretary of State for War, Whether it is true that the award of pensions to soldiers is wholly in the hands of the Commissioners of Chelsea Hospital; if so, whether they have any option or discretion in making their awards; and, whether they are under any direct responsibility to Parliament in the performance of that duty?

MR. CHILDERS: In reply to my hon. Friend, I have to state that by the Act 7 *Geo.* IV. c. 16, all pensions to disabled, invalid, and discharged soldiers are settled and managed by the Commissioners of Chelsea Hospital, who decide each case under the provisions of Royal Warrants, subject only to the vote of Parliament being sufficient. The Secretary of State has no power to override or alter a decision of the Commissioners, who, I believe, also claim to interpret the Warrants affecting pensions, although this claim as against the Secretary of State may be doubtful. Whether they are directly responsible to Parliament is a question on which I would rather not express an opinion at this moment; but the propriety of asking Parliament to alter this anomalous system is one of the questions referred to the Committee on Chelsea Hospital, and other institutions presided over by Lord Morley.

NAVY—H.M.S. "INFLEXIBLE."

SIR EDWARD REED asked the Secretary to the Admiralty, If he would state what was the original estimated cost of H.M.S. "Inflexible," and what had been the actual or approximate expenditure upon her when she was finally completed for sea, including the cost of her machinery, armament, and rigging, but exclusive of consumable stores and provisions; what are her designed speed and her actual speed when ready for sea; and, what are her designed and actual load draughts of water?

MR. CAMPBELL-BANNERMAN: It is the fact that, owing to many circumstances, there is a considerable difference between the original estimated cost of the *Inflexible* and the amount acually expended upon her. It would not be convenient to the House, however, that the causes of this difference should be explained in answer to a Question; and I would suggest to my hon. Friend to move for a Return on the subject, which will be granted.

SIR EDWARD REED said, that as he required to know for Parliamentary purposes the cost of Her Majesty's ship *Inflexible*, he should repeat his Question on Thursday next. He thought it was very remarkable that such a piece of information as that should have been refused.

MR. CAMPBELL-BANNERMAN explained that he had not refused to give the information, but that he had stated it was rather a complicated piece of information to give; and to spare the time of the House, and to meet its convenience, it was better that it should be moved for as an unopposed Return.

SIR EDWARD REED thought that what the hon. Member did say was that there was no difficulty in giving the information, but that he could not enter into explanations. [" No."]

PARLIAMENT—ARRANGEMENT OF PUBLIC BUSINESS.

Mr. GLADSTONE: I beg to give Notice that to-morrow I shall move that the several stages of the Prevention of Crime (Ireland) Bill have precedence of all other Orders of the Day from day to day until the House shall otherwise order. With regard to the Arrears of Rent (Ireland) Bill, of which I have already spoken, had it been a measure involving anything like the same number of provisions or points of discussion, I should have included it in this Notice; but, believing it to be comparatively simple, I have not thought it desirable to make an exceptional order without necessity. Should there prove hereafter to be any necessity for it, I shall not scruple to make the same request to the House with regard to the Arrears of Rent (Ireland) Bill.

Mr. GORST wished to know whether, in the event of the debate on the second reading of the Arrears of Rent (Ireland) Bill not being concluded that night, the Prime Minister would take a Morning Sitting to-morrow for it?

Mr. GLADSTONE: The Bill fixed for to-morrow, Sir, is the Bill for the Prevention of Crime in Ireland, and we intend to go forward with the measure. We shall go forward with the measure to-morrow at 2 o'clock. With respect to the discussion on the Arrears of Rent (Ireland) Bill, I do not think it can be of a lengthened character, as the principle of the Bill is of a very simple nature.

Mr. PARNELL: I beg to give Notice that I will move that the Motion of the Prime Minister shall also apply to the Arrears of Rent (Ireland) Bill.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR. THOMAS BRENNAN.

Mr. HEALY begged to ask the Chief Secretary to the Lord Lieutenant of Ireland a Question of which he had given him private Notice—namely, Whether the Government intended to release or keep in prison Mr. Thomas Brennan, one of the secretaries of the Land League, who had been so long confined under the Coercion Act?

Mr. TREVELYAN said, the intention of the Lord Lieutenant had not been communicated to him; but he would endeavour to ascertain that intention by to-morrow.

THE IRISH EXECUTIVE — COLONEL BRACKENBURY.

Lord ELCHO asked whether the report that the appointment of Colonel Brackenbury to the office of Inspector General of Constabulary in Ireland had been cancelled was correct?

Mr. TREVELYAN said, he had every reason to believe that the report arose through misapprehension. Colonel Brackenbury had virtually been appointed Assistant Secretary for Crime and Order, and Colonel Bruce had been appointed to the head of the Constabulary.

Mr. HEALY inquired whether it was intended to create a new Department of Crime and Order in the Castle?

Mr. TREVELYAN said, he was unwilling to make any extempore statement in answer to the Question; but he might say that there was no such intention. The assistance which Colonel Brackenbury, as Assistant Secretary, had been able to give the present Assistant Secretary was very great, and his position also enabled him to take a comprehensive view of the proceedings both of the Constabulary and the Dublin Police, and also to inquire into the detective department. As a proof that no addition would be made to the staff, he might state that the position of Deputy Inspector General would not be filled up, at any rate at present, because the Government were of opinion that two officers of the rank of Inspector and Deputy Inspector General were sufficient, and that they were now adequately represented with Colonel Brackenbury as Assistant Secretary, and Colonel Bruce as Inspector General.

ORDERS OF THE DAY.

ARREARS OF RENT (IRELAND) BILL.

(*Mr. Gladstone, Mr. Childers, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

[BILL 163.] SECOND READING.

[FIRST NIGHT.]

Order for Second Reading read.

Mr. GLADSTONE: I rise, Sir, to move the second reading of this Bill, and, in doing so, I will endeavour not to detain the House for a greater length of time than is necessary to put the issue clearly before the House. I will only advert to the main points connected with the subject, not dwelling on the particulars of the Bill. In fact, those particulars are, to a great extent, fixed by what the House has already done, for the greater number of them were contained in the Arrears Clause of the Land Act of last year. In respect to that clause, a vital and essential change has been made—namely, a change from voluntary action as a method of loan to compulsory action as a method of gift. But when that change has been made—and it raises an important but not very complicated question of principle—the House has before it the main subject. I wish to state one word about the finance of the Bill. This would not be a convenient opportunity for going into the details of finance; but since I obtained the leave of the House to introduce the Bill I have had an opportunity of going into the data upon which I then based my statement. In the first place, I stated that I felt confident that the available residue of the Church Surplus would yield £1,500,000; and, secondly, that the claims to be made under this Bill would not exceed £2,000,000. With regard to the first of these data, the subject is rather a complex one; but the data themselves, although complex, and hardly suited for a discussion like that of to-night, are not, I think, open to a great deal of uncertainty. With regard to the second of these data, doubtless there is room for more latitude of opinion. Very good authorities have put the probable liability of the public funds lower than I have stated; but I am bound to say it is always with the reservation that they cannot be absolutely certain what claims may start up. The House may remember that although nothing in the world can be better, in my opinion, than the organization of our Inland Revenue Department, yet upon various occasions, when the Department had to estimate a drawback, and have believed that there was very good evidence in their hands, their estimate has been materially exceeded. The truth is, there is something exceedingly fascinating in the idea of receiving public money. It is apt to bring into the field a certain number of claims that, perhaps, have not been anticipated. If I put the question as one of probability, I believe the very high probability is that the claims under this Bill could not reach £2,000,000 in all; but I am not prepared to say that there is not a possibility that they may go beyond that amount. The main question on this Bill rests on the difference between granting a loan and making a gift. I am not at all sorry to see that the question has been raised by Gentlemen of authority on the other side of the House, and that the subject will be fairly presented to the House. The House has already gone a long way. Here is the argument I should make upon the subject. The whole of this interference of the Legislature with respect to arrears of rent is a thing exceptional and extraordinary. But there have been most exceptional and most extraordinary circumstances to warrant it. In the year 1870 it was never dreamt of. But let me remind the House that that most exceptional and most extraordinary step has already been taken. It is in the principle of a clause of this kind, and not in the particular form of it, that there lies the most of what is doubtful, difficult, or objectionable in the issue now before us. Lending public money is, in some respects, more objectionable than giving it; and lending public money for a purpose of this kind—to enable private individuals to overtake their private engagements—involves everything that is exceptional and everything that is strange in the proposal that we now make for a gift. It appears to me that when the Legislature adopted without question the Arrears Clause last year, that when Parliament has interfered in the face of the very grave objections that are to be justly urged against all legislation of the sort, in providing means of this kind for the discharge or settlement of private engagements—when Parliament has once done this, it appears to me that the argument becomes very strong and very difficult to answer; that it ought to interfere effectually; and that it ought not to be baffled in that purpose. At least, it is extremely difficult—if you had justifiable cause for the measure adopted last year—to show any probable or equitable grounds for stopping short at that measure, now that the measure is admitted generally, and, with certain exceptions, to be justifiable. I believe there are three conditions that ought to be fulfilled by legislation of this kind. If Parliament is of opinion—as it has been of opinion—that the gravity of the case calls for such legislation, the first condition is that it should be equitable; the second is that it should be safe; and the third is that it should be effectual. I will not now discuss the question whether the present Bill is equitable, and the reason I pass by that discussion is because I have not heard it seriously disputed. As far as I know—I may be insufficiently informed—there is a general disposition to admit that the settlement is a thing of very high social necessity, and that such a settlement can only be made with equity to all parties on general principles, and on the basis of the abandonment of extreme claims. The next condition which a measure of this kind ought to fulfil is that the plan proposed ought to be safe. The plan may be open to the objection that it is costly, although I do not estimate the cost at anything that ought to deter the House from such an important issue as the one before us. It may be open to the objection that it is costly; but I hold that it is eminently safe. I hold that it is very desirable for us to be chary about contracting largely the relations of creditor and debtor between the British Treasury on the one hand, and the Irish tenant — especially the Irish small tenant—on the other hand. On the point of political safety, of freedom from all tendency to embarrass the future relations of the two countries, I have no doubt that the method of gift is far preferable to any method of loan, even if it had been very well devised. There is, I am bound to say, one special reason why I feel called upon to refer to this subject—that is, on account of certain resolutions forwarded to me by my hon. Friend the Member for the County of Cork (Mr. Shaw). These resolutions convey the sentiments of a certain number of Irish Members—I do not know precisely the number—but this I know, they are men of weight and authority, and men who, above all, are entitled to a most respectful hearing from Her Majesty's Government; because from them, and if I may say so without invidious distinction, most of all from my hon. Friend the Member for the County of Cork himself, we have received the most faithful and the most invaluable assistance in carrying the Land Act through the difficult Session of last year. Therefore we had every disposition to give a favourable ear to any suggestion from such a quarter. The hon. Member for the City of Cork (Mr. Parnell) will, I think, not be surprised if I admit that in approaching these two principles, as far as we might entertain a proposition on account of the generally sympathetic character of the quarter from which it proceeded, we should undoubtedly have been very glad if we could have adopted that which the hon. Member for the County of Cork recommended. My hon. Friend the Member for the County of Cork held strongly to the principle of loans. I observe the difficulties under which he labours, and I do not wonder at them; because, in fact, the plan which, together with many friends, he proposed to us is by no means a plan of loan exclusively. It is that we should adopt the basis of the Acts for the Relief of Distress in 1880, and advance 15*s.* in the pound on the arrears now subsisting in Ireland—I know not whether under certain limit of valuation or not—that is not mentioned in the resolutions—and that upon these sums, advanced by way of loan out of the Consolidated Fund, interest should be charged at the rate of 1 per cent. Yes, Sir; but it does not require much experience in public or in pecuniary affairs of any kind to know that when you make large advances to men, be they who they may, at the rate of 1 per cent interest, you are making to them, in fact, a large percentage of gift. There is an element of gift amounting to 25 or 30 per cent in such a plan were we to make the advances upon that basis, and appoint a period of some 30 years, or something like it, for the repayment of these advances. But, while that element of gift is not to be escaped, and is essentially involved in the plan, on the other hand, it loses altogether the effectual character which belongs to a plan of gift and compulsion; because, as I understand it, being a loan, it remains on a voluntary basis. I believe there is one thing that even this House cannot do. I recollect an Amendment introduced into a Railway Bill proposed in in this House to compel a Company to borrow money; but you cannot compel people to borrow money. You may compel people to pay money, and you have no difficulty in getting people to receive money. When the Income Tax was laid upon Ireland we were told that it never would be paid; but, notwithstanding, it has been as well paid in Ireland as in England, and the complaints from Ireland have been fewer than they have been from England. Compel people to borrow money you cannot; and therefore if it is a voluntary plan, then you lose the whole reason that recommends the plan of gift. If it is a voluntary plan, and if it also involves a gift, then it has the disadvantage attaching to a voluntary plan that you cannot insure that it will be effectual; and it has also the disadvantage of a compulsory plan—namely, that it involves the element of gift and of charge to the public. I believe that in making his proposal my hon. Friend was simply struggling with the difficulties of the case we all have to struggle with; and I do not pretend to say there is any method of struggling with them that can completely overcome them. But the position that we take is that it is necessary, in the first place, to make an advance under the section of the Land Act of last Session; and if we do not make an advance under that section, we abandon a policy which we then accepted after much consideration, but with a strong sense of the importance and the essential character of the objects that we had in view. Now, are these objects essential? What is the number of the tenants who are called small tenants in Ireland, and who would be included within the limit of £30 valuation? The number is 585,000; and no person, however sanguine or well informed, can know the precise number of those tenants that are in arrear. But though we may not know the precise number, we know it is very large. We think that to estimate it at one quarter of the whole 585,000 is too low. To estimate it at one-third would be a moderate computation; but if we estimate it at one-third—that means nearly 200,000, out of a total of between 500,000 and 600,000 in respect of whom one effect of being in arrear and not having paid their arrears under the facilities offered by the Act of last year we may say is that at present they are, in a great degree, excluded from the benefits of the Land Act. They are also held at the mercy of the landlord, and when I say that I am very far from saying that that position of things is one which is favourable to the landlord. On the contrary, I believe it is painful and embarrassing in the last degree to every humane and enlightened landlord; and, as far as my information goes, there is a great disposition on their part to make sacrifices in order to meet the requirements of the public in the settlement of this question. Without the settlement of this question, I sorrowfully confess that the working of the Land Act, however beneficial, must remain essentially incomplete. That being the case, I think that the House will feel that there is some reason in the proposition that we make. We are already committed to the policy of interference; but there we have overleaped the barriers that were really formidable. Having interfered, we ought to interfere, if we can, equitably, safely, and effectually. The plan is equitable; the plan is safe; and if it exhausts the Church Surplus, which it may or may not do, the Church Surplus cannot be better disposed of, and never has been better disposed of to this day, than in giving thorough effect to any measure necessary for establishing harmonious relations between landlords and tenants in Ireland. Above all, it is by this plan of gift alone, founded on compromise and composition, that you can make an effectual remedy; and whatever else the plan is or is not for dealing with this subject in Ireland, at this time of day and this crisis of affairs, it would not be worthy of the dignity, and would not prove the wisdom, of Parliament were they to propound and adopt a plan that would be otherwise inequitable. I believe that is the one question of great importance; and while I grant that the proposal will justify, and even call for, inquiry and the jealous vigilance of the House, I confidently commend this measure to the consideration of the House, and beg to move that it be read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Gladstone.*)

MR. SCLATER-BOOTH, in rising to move—

"That it is inexpedient to charge the Consolidated Fund with any payment, except by way of loan, in respect of arrears of rent in Ireland,"

observed, that Gentlemen on his side of the House had repeatedly shown their readiness to consider any measures which were devised for the peace and welfare of Ireland. They had been parties to the passing of the Land Act of last year, and especially of the particular clause in it which the right hon. Gentleman now told them required amendment. Why did it require amendment? The reason was very clear. The enormous number of tenants under £30 had been advised by their self-constituted Leaders to hold their rent; and they had most effectually taken that counsel. Another reason of the failure of the Act was the onerous terms of repayment of loans imposed by that Act. The repayments were to be made in eight and a-half years, and he thought the obvious way of improving that provision would have been to alter that period to 15 years. But a new settlement, it was said, must be made. For the last six weeks they had had dangling before them the attractive and plausible proposition that the Arrears Question must be dealt with in order that the operation of the Land Act might be secured. Any one who listened to the speech of the Prime Minister during the recent debate on the Bill of the hon. Member for New Ross (Mr. Redmond), and also to his speech in introducing the present Bill the other night, must feel that a very great change had been made from the policy of the clause in the Act of last Session. No reason had been suggested in favour of the principle of gift, which he believed approached more nearly to a Communistic proposal than anything before suggested in this country. He was certain that it would have a demoralizing and mischievous effect in its operation upon those for whose benefit it was designed, and that it would be pointed to in after years as a disastrous precedent. The object of his Amendment was limited to the narrowest issue, relating only to the advisability of making a gift from the Consolidated Fund. He did not wish to enter upon a discussion of the general principles of the Bill, though, no doubt, many criticisms would be passed upon it by other Members; he only desired to make one or two observations upon it arising out of the limited scope of his own Amendment. From whatever source the money might be derived, it was clear that the great question was, whether it was to be advanced by way of gift or by way of loan? There were many considerations that should dispose them to proceed by way of loan; while, on the other hand, there was nothing in favour of proceeding by way of gift, except the purely hypothetical assumption of the Prime Minister that the scheme was bound to be successful; but he saw no reason whatever to expect that result. The system of loan was a matter well known both in England and Ireland, especially in the latter country, and it had also been of frequent occurrence in connection with the very incidents which brought about the Land Act. When the failure of the harvest of 1879 plunged both England and Scotland as well as Ireland into poverty and distress, all advances then made to Ireland were made by way of loan and not by way of gift. Even the hon. Member for Galway (Colonel Nolan) never proposed that the money for seed potatoes should be given in any other way than as a loan. In the present case there was to be a free gift, and the gift was to be participated in, not by the most deserving, but by the most irreconcilable of the tenantry of Ireland. Those whose rents exceeded £30 were excluded from the benefits of the Acts, as well also those who had honestly paid their rent. It was not difficult to conceive, under these circumstances, the jealousy with which honest men would view those who had withheld their rents. This obvious and palpable objection to the measure had not, however, received any notice from the Government. But whether the money was to be advanced by loan or gift, there was no machinery by which any restraint could be placed upon the amount issued from the Exchequer. There was no security taken for the amount of money which might be issued; not any security as to the condition under which it would be issued, nor any security that the parties to whom it was issued were really impecunious. Everything was to be left to the Irish Land Commissioners or their deputies. Last year, when the Land Act was under discussion, the House was told that the Land Commissioners might safely be left to fix fair rents without being tied down to any rules; and they had seen already how much ill blood and how many heartburnings had already arisen from their decisions. Questions of difficulty would be sure to crop up with respect to the advances also, and the House might fairly expect some much more stringent conditions introduced into the Bill. He was not at all surprised to hear that the Government had determined to seize upon the Irish Church Fund; but he wished to say one word upon that subject. He did not pretend to cope with the information at the disposal of the Treasury Bench in matters of that kind; but he must point out that the estimates given that afternoon differed a good deal from those they had previously heard. When the 59th Section of the Act of last year was under consideration, upon the 21st of July, the Prime Minister made a statement—a very guarded one, it was true—upon the subject of the Church Surplus. He said that the Church Surplus would be more than sufficient to meet a charge amounting to from £500,000 to £1,000,000. They now knew that the charges under this Bill were computed at £2,000,000; but it was quite possible that that sum might be increased to £4,000,000. Some people thought that the Irish Church Surplus itself was in a very hazy condition; and it was quite certain that the Controller and Auditor General had drawn pointed attention to the increased amount of arrears, an increase which in the course of the coming year, in all probability, would again enormously increase. He did not complain of the inappropriateness of the fund from which the Government proposed to obtain their money. As an English Member, he should be very glad to see the Surplus, which he looked upon in the light of a village charity, and, therefore, as demoralizing, absorbed altogether; and if he were sure no more would be heard of it, that would be a great temptation to him to acquiesce in this proposal. But an Irish Member would take a different view; and the House ought to know whether, although the Fund was now estimated to be inadequate to make this advance of £2,000,000 by way of gift, it would not be adequate to meet the mere advance of loans. He thought the proposal in the Bill to allow the claims to be made till Midsummer next year was a most mischievous proposal. If the tenantry had not already got a year's rent in hand, would they be in a better position to pay it next winter, or spring, or summer? By that time another year's rent would be due. The Irish peasant knew perfectly well what was going on in Parliament, and there was no need for any delay after the passing of this Act to give him an opportunity of coming forward with his year's rent. If he was not ready now, there was nothing to be gained by allowing the matter to stand over till next year. Assuming that the principle of gift was adopted, what was it they were asked to do? They were asked to pay the just debts of the tenant farmers of Ireland out of the Church Surplus Fund, and if that was not sufficient, to pledge the Consolidated Fund, and thus assist in a questionable operation of making them go through a *quasi*-process of bankruptcy. He said that was a most objectionable plan, both in the interests of the recipients and in those of the non-recipients. But it was still more objectionable from the point of view of the Scottish and English taxpayer. The farmers of England and Scotland suffered quite as much, in proportion, from the disastrous harvests of 1879 and 1880 as did the Irish tenants, and they had not had the advantage, which the Irish tenants had, of an excellent harvest in the following year. Not only was the proposal mischievous, but it was demoralizing and fatal to the future career of the Irish farmer. It was unexampled in our previous history. The precedents given by the right hon. Gentleman reached 50 years back and more; but he did not think that these precedents were applicable to the present moment. Proposals which were tolerable in the days of Lord Melbourne and Lord Liverpool would not be accepted by any Government likely to occupy the Benches opposite in the present day. What were the precedents to which the right hon. Gentleman had referred? He could not find the words the right hon. Gentleman had used; but what he had said was that Parliament had not unfrequently interfered on grave occasions with the aid of the public purse.

MR. GLADSTONE: I think I may perhaps assist the right hon. Gentleman a little by telling him that I did not at all claim these precedents in regard to the financial part of the questions. Not in the least. It was in regard to the equity between the parties.

Mr. SCLATER-BOOTH said, the precedents to which the right hon. Gentleman alluded were quoted as applicable to all the circumstances. He apprehended, however, that none of the cases bore much analogy to the present situation. The question of Slavery clearly could not apply. It had no reference whatever to this case. Then there was the question of Irish Tithes. It was perfectly true that large sums of money were made applicable in that case; but the money was granted by way of loan.

Mr. GLADSTONE: And not a shilling was recovered.

Mr. SCLATER-BOOTH believed that was so with regard to the larger loan; but with regard to the smaller loan of £250,000, one fourth of that was recovered. Indeed, it was only last year that the amount of both loans not recovered was wiped off finally as a bad debt. It was, therefore, quite clear that the intention of the Government was that the money should be repaid; and, undoubtedly, under the vigorous system which now prevailed at the Treasury, serious attempts would have been made to recover the amount. A much more analogous case was nearer at hand—namely, the advances upon the Irish Famine in 1843—with regard to which the system of repayment was always insisted upon. There was another analogous case—the Cotton Famine in Lancashire. Every shilling of the money advanced had been repaid as it became due. What was more important for his purpose was that the county rates were, in that case, pledged to the Consolidated Fund for repayment. Then there were the advances for the Welsh roads. There was a great deal of similarity in that case. There was an indisposition to pay the lawful tolls, and the Government made an advance to abolish them, and, as a matter of fact, the money was all repaid. The right hon. Gentleman stated the other day that he would be guided by Irish opinion in this matter; but Irish opinion had not been expressed in the shape of a demand for public money. It was not contained in the Bill of the hon. Member for New Ross (Mr. Redmond). It was repudiated by the hon. Member for the County of Cork (Mr. Shaw). It seemed, in fact, to have been a gratuitous suggestion on the part of Her Majesty's Government, unless it was required by some secret article in the Treaty of Kilmainham. Why should this, what he might call great departure from principle and practice, be sanctioned for so small an amount? This was a question of only £400,000 or £500,000. To deal with this sum they were asked to employ the immense engine of the Consolidated Fund. Why were they not to go to the counties and baronies of Ireland, or to the land of Ireland in the whole? What was the value—the depreciated value—of Irish land? Certainly not less than £10,000,000 per annum. Some put it at £15,000,000; but £10,000,000 was a moderate estimate. A penny rate for six years would pay off the whole. Was it worth the while of the right hon. Gentleman, then, to adopt a course so novel and so objectionable? Let them see how this matter struck persons out-of-doors, persons whose principles could not be called in question or doubted. A well-known writer and thinker wrote thus to *The Times* on Saturday last—

> "The upshot is that the Power which overthrew Napoleon is paying the private debts of Irish terrorists out of the public purse, to induce them to abstain from butchering its citizens and trampling on its laws; while the English farmer and peasant, because they are law-abiding, bear their own burdens and those of the Irishmen too."

These were the words of a thorough-going Liberal, Mr. Goldwin Smith, and he had no doubt they had found a response in the minds of many, if not most, readers. It seemed to indicate the direction in which public opinion would very soon run. He did not think this was the time for opening that great fountain of wealth, the Consolidated Fund, not for the advantage of the most meritorious, but of the most troublesome class. He thought the taxpayers of the country were beginning to get seriously alarmed about the state of the finances. They saw the charges on the Consolidated Fund augumented, while they were endeavouring year by year to pay off taxation. What means were there of paying this tax except by borrowing? There was no Surplus this year, and there was no prospect of one next year. This was no time, then, to set an example of this sort; and he sincerely hoped that Parliament would take hold of that opportunity, put its foot down, and say that the thing should not be done. He saw the right hon. Gentleman the Member for Ripon (Mr. Goschen) in his place;

his reputation as a Liberal was undoubted, as a financier was unrivalled; and it would be interesting to know what his opinion was in regard to the principle of this Bill. Then there was the hon. Member for Burnley (Mr. Rylands), who carried his views in regard to economy to an extreme; what had he to say to this encroachment on the Consolidated Fund? He saw Scotch Members before him, and he would like to know whether, in the interest of Scotland, it was, in their opinion, desirable that the Consolidated Fund should be appropriated in the manner suggested? In conclusion, he would earnestly appeal to the right hon. Gentleman at the head of the Government to remove a most objectionable blot from the Bill by not asking the House to assent to the clause which guaranteed from the Consolidated Fund the arrears of rent in Ireland. The right hon. Gentleman concluded by moving his Amendment.

CAPTAIN AYLMER, in seconding the Amendment, said, he had on the Paper a somewhat similar proposal; but he had given way willingly to his right hon. Friend (Mr. Sclater-Booth). He was of opinion that none of the Predecessors of the right hon. Gentleman at the head of the Government would have dared to bring forward such a measure as that before the House. Since the right hon. Gentleman's accession to power, however, he had coerced his majority into passing measures which, if not actually unwise, were, at all events, far removed from the principles which formerly guided the House of Commons. The legislation now proposed was certainly class legislation. It was, in fact, for the relief of a part only of a class, for it would not apply to all farmers who were in arrears with their rent, but only to those whose holdings were below a valuation of £30. It appeared strange that the Prime Minister had not taken into his consideration the position of those poor people, the small landowners, and the many ladies and children, who had been brought to misery and want by the agitation of the last two years. For them the Bill provided no relief. One great objection to the measure was that it would teach the Irish people that dishonesty was a better policy than honesty, for it made no distinction between them, but rather appeared to encourage fraud. Tenants who had borrowed money at high interest in order to pay their rents were passed over unnoticed by the Government, while it was notorious that, in many cases, those who had refused to pay, though well able to do so, were now to be rewarded by the help extended to them under this Bill. The Irish people would look upon the measure not as an act of charity, but as one of compulsion, in the same way that a highwayman would look upon a purse which he had taken from a traveller after holding a pistol to his face. Parliament had already passed an Act which was first mentioned in the programme of the Land League, to reduce rents to Griffith's valuation; and they were now asked to accept a further portion of that programme by the payment of the arrears of rent. Such a course would create jealousy in the hearts of those who did not benefit by it, and would also raise up an agitation in parts of Ireland which up till now had been perfectly quiet. In fact, the Bill would, he feared, make the government of Ireland impossible, especially so long as that government was intrusted to a Ministry which were prepared to do themselves what they had put the leaders of the Land League in prison for endeavouring to do. In England and Scotland it would be looked upon as a sop to sedition, and in Ireland as the spoils of victory. The Land League had taught the people to pay no rent, and the Government now accepted the League's programme, offering, at the same time, to pay the rents of the people for them. When the right hon. Gentleman the Prime Minister was contesting Mid Lothian, he had allowed that the Act of 1870 was a wise Act, and had been of great benefit to the country. He (Captain Aylmer) entirely agreed with the right hon. Gentleman in that, and he only wished he had put his foot down, when he went into Office, and maintained that Act in its integrity. This Bill would be known in Ireland as the Land League Fund Relief Bill, for it would do away with the necessity for the large amount now paid weekly out of the Land League funds to people who had been evicted. It was said the Bill would benefit the landlords, inasmuch as they would now get payment of arrears, which otherwise they would never receive; but he (Captain Aylmer) believed he was speaking the sentiments of the landlords of Ireland when he said that the majority of them would rather go without their arrears of rent than obtain them in the way provided by the Bill. ["Oh, oh!"] He said that deliberately; because the landlords knew that the principle was unsound, and would ultimately be made use of in a manner detrimental to their interests. He objected to the Bill on many and serious grounds. It taught the Irish to depend upon the Government rather than themselves in times of difficulty; it taught them that relief from the Government would follow agitation; and he objected to it because it would only be a momentary relief, and would produce no sound results in the future. What was the use of enabling tenants to get rid of their present arrears when nothing was before them but their getting into arrears again? He objected to it also because it was not proposed to hold out by the Bill the slightest assistance or help to those who were disposed to be honest. Lastly, he objected to it because it was calculated to plant upon the soil of Ireland a beggar peasantry, than which nothing could be a greater source of weakness to any country. It was not kindness to allow them to remain, for he ventured to say that in nine cases out of 10 the result of the action of the Government would be that the gombeen men would force the tenants to sell out their interest. If the Government wanted to be generous to Ireland, why did not the Prime Minister, instead of proposing this Bill, propose to aid the industries of Ireland? If the Government had advanced this money for some of those public works that were so much required to improve the resources of the country, it would do more good. Then, again, the attention of the Government had often been called to the state of the Irish fisheries, the neglect of which was disgraceful to this country. There were also districts in Ireland which greatly needed railway accommodation. Why did not the Government propose some measure on that subject? What Ireland wanted was capital to develop its industries; but no one would lend as long as the country was in such a state.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient to charge the Consolidated Fund with any payment, except by way of loan, in respect of arrears of rent in Ireland,"—(*Mr. Sclater-Booth,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. W. E. FORSTER said, there could be no doubt of the great difficulties surrounding that question, and that the objections to the Bill, and, indeed, to almost any Bill that could be brought forward, were manifest; and, allowing that, he hoped the House would allow him very briefly to give the reasons why, after weighing the matter carefully and anxiously, he had come to the conclusion, reluctantly he must say, that they must make a great effort to settle that Arrears Question; and certainly, notwithstanding the objections, there was really no other course open to them in order to solve this question, unless to adopt in principle the plan proposed to them by the Government. He thought his right hon. Friend the Prime Minister had a little underrated the difference in principle between this Bill and the Arrears Clause in the Act of last year. The clause of last year was merely to facilitate the payment of these arrears by means of loans to two parties, who were both agreed, and who both made themselves liable for repayment. But this was a new principle of compulsion of both parties upon the initiative of either, and there was the very great distinction of gift in place of loan. The right hon. Gentleman who proposed the Amendment (Mr. Sclater-Booth) was much alarmed at the idea of any money being paid out of the Exchequer; but he (Mr. W. E. Forster) did not think he need be very uneasy, or that there was any great danger in the matter. His (Mr. W. E. Forster's) impression was that if the arrears were interpreted according to the interpretation given in the Bill, it would be almost impossible that any burden should come upon the National Exchequer, although, at the same time, he thought it would hardly be consistent with the seriousness of the question for the Bill to have been proposed, leaving it doubtful as to whether there would be money forthcoming for the settlement. He did not, however, think that ought to make them reckless in giving away the money. There were some hon. Gentlemen who, he believed, wished the Church Surplus to come to an end as quickly as possible. He could not say that was his view. There were many other, and many very excellent objects to which it might be applied. The hon. and gallant Gentleman who had spoken last (Captain Aylmer) had alluded to the Irish fisheries, and he (Mr. W. E. Forster) should be sorry if one result of this Bill should be that none of it should be available for the excellent plan of the hon. Member for Waterford (Mr. Blake) with reference to the Irish fisheries. The hon. and learned Member for Limerick (Mr. O'Shaughnessy) also looked forward to some of it for the cause of Intermediate Education. They ought not, therefore, to wish to get rid of the Surplus. On the other hand, if they could really give to Ireland that immediate peace which the hon. and gallant Member seemed to anticipate, it would be very difficult to find a better object. The objections to the Bill were very clear. There was the objection of discouraging those who had paid their rents at great sacrifice, and many of them at great danger, and of irritating those who had been obliged to pay under pressure. There was also the disadvantage of any appearance of the Government interfering with a voluntary settlement. After having considered all these objections, he had come to the conclusion that the Government and the House must make a great effort to settle the Arrears Question, and mainly and chiefly for this reason—that, unless it did so, one very great object, if not the chief object, of the Land Act of last year, which sought to meet the case of the poor cottier tenants of the West, could not be attained; that unless they stepped forward and tried to settle that matter the Land Act would be of very little use to those tenants. Just consider what they had to deal with in the Arrears Question. He had said that he did not think the amount would be as large as some hon. Gentlemen anticipated; but the difficulties were felt by a great number of people whose circumstances were most distressed, and whose distressed circumstances were well known on both sides of the Channel. Whatever might be the objections and dangers of that plan, they were much less now than they would have been six months ago. The right hon. Gentleman opposite (Mr. Sclater-Booth) began by stating that, by means of the Bill, the Government was rewarding those who had withheld their rents under the influence of the Land League. The hon. and gallant Member for Maidstone (Captain Aylmer) also seemed to think that was the class the Government were contending with now. He (Mr. W. E. Forster) did not think that was the case. He was afraid he was now getting on debateable ground; but he thought that there had been a great separation made between those who could pay and would not pay and those who could not pay, by what had happened within the last two or three months. Those who could pay their rents had, to a very great extent, paid them; some through their honest willingness to do so; some of them at great sacrifice, and perhaps at great danger; and many of them, he was sorry to say, because they had been compelled; but he was quite sure he was accurate in saying that a very large proportion of the rents in Ireland which at the beginning of this year were owing had been paid, and an immense proportion of the rents by those who were able to pay. He might be allowed, in passing, to say that he believed the chief anger against himself, both in that House and in Ireland, was because it had been his fate to be the person in the Government whose business it was to get these payments of rent made. They had now got to consider the people who had not paid their rents. There were cases of contest still going on between landlord and tenant; but they were diminishing every day, and the large proportion of persons who had not paid their rents were those with whom the arrears were so hopeless that it was no use their attempting to settle with their landlords. The class that did not take advantage of the Land Act were the small cottier tenants, who felt that the hopeless accumulation of arrears was so great that if they went into the Land Court it would be of no use. Those were the people whose position the Bill was intended to meet; for he thought it would be admitted that they could not allow so large a class to remain in their present position without trying to meet it. They tried to meet it in the clause of the Act of last year; but that clause had failed—the apparent cause of its failure was that they called upon the landlord to make himself liable for the money, and he had not sufficient faith that he would get additional rent from the tenant to incur this obligation. Even without that objection he (Mr. W. E. Forster) doubted whether it would have answered. The period of its operation was too short, and it was only getting to be understood when it came to an end. There was great ignorance on the part of the tenants regarding it; and he also found that there was too much hostility between landlord and tenant for any agreement in an application under it. That clause, however, held out a temptation to a voluntary agreement, and thence came the question whether they might deal with it upon the principle of the clause of last year, or in some other way? Should they make the temptation greater and the time for repayment longer? For a while he had hoped they might meet the case in that way, and escape the disadvantage of dealing with past contracts, so as to avoid compulsion and its disadvantages. But he had since come to the conclusion that compulsion was not to be avoided. The chief reason why he held that view was that it was to the interest of the landlords to clear their estates of these small cottier tenants; but, although it had been said by the hon. and gallant Member opposite (Captain Aylmer) that it was no kindness to allow them to remain, yet he (Mr. W.E. Forster) believed it was not to the interest of the State that large clearances should be made. It was, indeed, more the interest of the landlord now than before the passing of the Land Act. He was making no charge against individuals. He believed that when the history of what had happened in Ireland during the last few years was carefully written and properly read it would be found that there never was a class that more resisted temptation to act harshly than the landlords of Ireland. There had been individual cases of hard evictions, although hon. Members below the Gangway did not seem to know of them, of which he could have told them. [Mr. HEALY: Why did not you?] He was trying to conduct the discussion as fairly as he could, and he begged the hon. Member to exercise a little self-control. He was not saying it for himself only, but for his late friend (Mr. Burke) as well, that they had not seldom interfered, and by private influence prevented cases of hardship; and it was his knowledge of these cases of hardship that made him determined to propose some such Bill as this to his Colleagues. But he was not resting the argument for the Bill upon these individual cases of hardship, but upon the general interest of the landlord to make clearances, and to make them all the more quickly, because of the passing of the Land Act. Let them take some of those estates in Mayo or Galway which were cramful of cottier tenants. They had become so full, not because of any unkindness on the part of the landlords, but from good-natured carelessness which was very popular in the neighbourhood. He knew of one very large estate in Connaught where, though the soil was wretched, some being bog and a great deal of it rock, there were three souls to every 10 acres. That was a case in which the land was over-peopled to an immense extent. In that case, how was the landlord to get his rent? He got it not out of the produce of the Connaught soil, but out of the produce of the English or Scotch soil. These people had come over here, and earned their rent and had then gone back. They had been paying immense rents for their wretched cabins. With that state of things it was, until recently, the interest of the landlord that there should be this enormous number of tenants with high nominal rents, which could not be paid in bad years, and which could with difficulty be paid in average years. It answered his purpose, because the good and many of the average years made up for the bad years, when he got no rent at all. But now the Land Act having been passed, under it there would be fair rents fixed for the future. That would take away from the landlord the power to get the advantage of the good years against bad ones; and, therefore, it would be greatly for his interest to get rid of this large number of tenants, and replace them by a smaller number of men with capital, who really could expect, one year with another, to get enough out of the land to pay its rent. The hon. and gallant Member for Maidstone asked, why not allow that to happen? Were they prepared to face that, and to say that they would let the Land Act start with a crowd of evictions for the purpose? Was it for the interest of the State that they should allow that? He must say he thought not. He remembered this—that the competition of those tenants, the misery of those people, was a fulcrum of agitation. The condition of the poor cottier tenant of the West was not only the cause of discontent and disorder in Mayo and Connemara, but it was the excuse for discontent and disorder in Limerick and Cork. Often and often he had seen cases in which well-to-do farmers of the middle counties of Ireland—as well able, and, perhaps, better able to pay their rent during the last two years than farmers of Yorkshire, or Devonshire, or Norfolk—appealed to public sympathy for not doing so, simply because of the misery of these tenants in the West. Therefore, he said, let Parliament remove the fulcrum of agitation. They could not allow the eviction of these people to go on without State interference, for, in his opinion, the State had allowed this condition of things to grow up in Ireland. They had been obliged to pass a Land Act to get a better condition of things in future; but they could not deny that those people were in that miserable position entirely through what they had allowed to happen in past years. Therefore, he did not think the House could, with safety to the peace of Ireland, and with respect to the opinion that would be formed of the action of the Government, or with justice to the new system, allow that clearance to be carried on which would be carried on unless they stepped forward in some way to meet the question. Let the Land Act get a fair start with these poor cottier tenants. Let their holdings be estimated at a fair rent. Let them get a property—the tenant right which was contemplated by the Act to attach them to their holdings—and then he believed that gradually, though not slowly, but quickly, there would be a natural diminution of those tenants. They would become fewer in number, because they would have some property they could sell to enable them to betake themselves to other employments, or, generally speaking, to emigrate. They would thus obtain a state of things such as they desired, without the dangerous, and, as it was represented to be, the cruel process of very large evictions and clearances. The hon. and gallant Gentleman (Captain Aylmer) was in favour of emigration——

CAPTAIN AYLMER: It would be much better to spend this money in emigration than in putting the people back in farms they cannot live on.

MR. W. E. FORSTER agreed with the hon. and gallant Member in thinking it was only ultimately by emigration that these people could be improved. He was sure the people were themselves becoming more and more sensible of it; but if the House wanted to stamp the emigration plan with certain failure, and excite disgust and almost hatred of it all through Ireland, they could not do so more effectually than by allowing such a state of things to happen that these people should be absolutely forced to emigrate. That was the reason why he felt Parliament was driven to a compulsory measure. Then came the question, should it be accompanied by gift or by loan? The disadvantage of a gift was clear enough. He did not quite agree with the Prime Minister that gift was a necessary accompaniment of the Bill of the hon. Member for New Ross (Mr. Redmond), because that Bill merely gave the initiative to the tenant; and he (Mr. W. E. Forster) could not see what difference it made to the landlord, if he was to get one year's rent, whether he got it direct from the State, or indirectly from the State through its giving a guarantee for the tenant. He did not see, so far as the landlord was concerned, why they might not have combined compulsion with loan. But his right hon. Friend made an alteration in the present Bill as compared with the Bill of the hon. Member for New Ross, and which he (Mr. W. E. Forster) thought was very important and very just. It was that he gave the initiative also to the landlord. He told the landlord that he might compel the tenant to come to an agreement. It was a mistake to suppose that the actual payment of the whole year's rent was required by the Bill. The payment of so much of the year's rent as the landlord might choose to take in settlement was all that was required; and he imagined there would be many cases in which the landlord, finding it very difficult to get anything, would accept a very small payment for the last year. Upon the ground of accepting that, and giving a receipt in full, he would be able to get one year's rent from the Government. Undoubtedly, the Government, from whatever fund the money was drawn, would rather suffer by that arrangement; but that was the Bill. He did not know that Parliament would have a right to compel the tenant to enter into such an agreement, and, at the same time, to impose upon him the repayment of a loan, extending over eight or ten years; and, therefore, the fact that the initiative rested with the landlord made it all the more difficult to avoid a gift. Leaving the theoretical argument, which was certainly strong against gift, he thought the immediate practical arguments were very strong in favour of gift as against loan. It was not only to the interest of the landlords, and still more to the interest of the tenants, but it was the direct and immediate interest of the State. The attempt to get rid of the matter by means of a loan might be attended with danger; and he doubted whether the State would succeed in obtaining repayment. On the other hand, by making it a gift, the State would get rid of a most difficult, and, to some extent, a dangerous duty—that of collecting the rent from the tenant. Of course, there was the danger of setting up such a precedent; but that might be avoided, to some extent, by clearly recording the grounds upon which this Act was passed. In this case the real ground for deciding in favour of gift was that the State found it necessary to interfere with past contracts; but it did so in the interest of the parties, and there were advantages on both sides. The landlord would gain greatly by this interference. He would, in all probability, get at least 10*s*. in the pound, instead of 1*s*. or 2*s*.; and, of course, the tenant was clearly the gainer; but it was still an interference with past contracts, and he thought that so dangerous a thing that there was no great harm in making the State run some risk, whenever such an interference was made. There was one overpowering argument in favour of the plan being a gift rather than a loan; and that was that, now that the Government had proposed it, he believed the gift would be irrecoverable, and it would be impossible to take it back. The Chancellor of the Exchequer had declared, on the part of John Bull, that he would give the money; and they must all be aware that it was not now in the power of John Bull to button up his pockets and back out of it. For those reasons, he thought the balance of advantage was on the side of the Bill. In his opinion, they were bound to make a great effort to settle the question; and, so far as he could see, they could settle it in no other way than the one proposed. He would now add a few words upon two important questions of detail. The first was with regard to the tribunal which was to administer the Act. No doubt, a very great deal would depend upon clearly ascertaining whether the tenant was or was not able to pay. That would not be an easy matter to determine; but he did not think it ought to be given up. He must ask his right hon. Friend, before he went into Committee, to very carefully consider whether he could impose that duty upon the Land Commissioners. He quite agreed that the notion of a complete block in the Land Courts was a mistake, and that they were getting through their business vastly quicker than was generally supposed. But, undoubtedly, there was a very great deal to do; and it was a serious matter to put upon them this new and serious task; moreover, he doubted whether it would make their work easier. He had a strong suspicion that the purely judicial business of finding out whether a man was able to pay or not, using rather brusque language, and finding out whether his statement was true or not, must be a very hard and anxious task, and one not likely to be very popular. Therefore, he doubted whether it was wise to attach it to the duties of the men who had to establish a fair rent, and, as much as possible, to do it with the concurrence of both parties to the bargain. He was aware that the Bill also contemplated County Court Judges doing it, instead of the Sub-Commissioners. But the County Court Judges were, in many instances, already engaged in efficiently carrying out the provisions of the Land Act; and, therefore, he strongly suspected it would be a great saving of time, which would be an enormous advantage in this matter, and much more preferable, to appoint a few gentlemen specially to carry out the work of this Bill, and to do nothing else. There would be no loss on their salaries, because it would still leave the County Court Judges and Sub-Commissioners plenty to do, and men could only work so many hours a-day. The other suggestion he had to make was that it would have to be considered whether the limitation of £30 could be adhered to. There was no doubt it was more difficult to adhere to that limitation in the case of gift than it would have been in the case of a loan. A man rated at £31 or £32 would look very queerly at his neighbour of £29 who had got the gift, while he had not. He believed the cases of arrears under this Bill of estates over £30 valuation would be comparatively few—that was, where the arrears were for rent owing before November, 1880. He believed that, upon most of the larger and middle-sized farms, they had been paid. But, as the Prime Minister said, the object was to secure a prospect of finality for the measure, and a very few men above £30 excluded would make a very great disturbance in Ireland. His experience was that most of the disturbance had come, not from the poorer cottiers, but from the better class of tenants. He hoped, therefore, the right hon. Gentleman would consider the question of limitation, and how far it would endanger the success of the measure. He had only one other remark to make, and that was that if the Bill was to be passed at all—and passed he thought it would be—it was, in his opinion, of the most immense importance to everybody in Ireland that it should pass soon. They wanted to stop evictions. There was no doubt about that. They wanted to release these poor tenants from the fear of eviction. It was to the interest of the State that the evictions should be stopped, and it was also to the interest of the landlords that the Bill should be quickly passed, because there was no denying that this would be the consequence of the Bill having been brought in, that until it was passed there would be no more arrears paid, and probably fewer rents would be paid. He would not repeat what he had said as to the importance of the Prevention of Crime Bill taking precedence of all other Business; but he hoped that after that Bill it was the intention of the Prime Minister to give this Bill precedence over every other Bill. He also trusted the House would adopt the second reading of the Bill; and he was sure that every hon. Gentleman connected with Ireland would support him in saying that it was immensely to the interest of everybody in Ireland, to the cause of good government, and the advantage of landlord and tenant, that it should be so. Though reluctant to take up the time of the House, he had felt compelled to say so much; and he hoped that, both in matter and in manner, he had said nothing that would give offence.

MR. MULHOLLAND said, that if the Prime Minister was disposed to give £2,000,000, the gift would be made much more telling, and go much towards securing the peace of the country by helping the people to emigrate, and take their labour where it could be made more profitable to themselves. He thought that would be the best remedy for what the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had described as "the seeds of Irish discontent." He (Mr. Mulholland) thought he might claim for the Irish landlords that they had not shown a selfish disposition to allow their own interests to stand in the way of accepting any legislation which the responsible Government assured the House would be for the advantage of the Irish people. They gave that assurance when the country acquiesced in a settlement of the Land Question, which was, to a great extent, opposed to their convictions. The country had now a year's experience of that measure, and what equivalent had been obtained for the sacrifice then made? Was Ireland more peaceful, or were the relations between the landlords and tenants more friendly or more amicable now than they were? No; just the contrary was the fact, for never was Ireland in a more unsatisfactory condition than now, and the flood of litigation which was let loose over the country as a consequence of the Land Act had inevitably led the landlords and tenants into two hostile camps, a situation which must leave behind some feeling of bitterness. Therefore, although fresh legislation was needed, it was natural they should look with some feelings of distrust upon a Bill proceeding in the same direction. He, and, he believed, most Irish landlords, would readily say that if they were convinced that the Government proposal was one which would really settle the

Agrarian Question between them and their tenants, would do away with the hostile feelings at present existing, and restore Ireland to a satisfactory condition, no pecuniary sacrifice that was necessarily involved in it would allow any of them to stand in its way. But the question was, was there any reasonable hope that the Bill would accomplish that? He regretted he could not persuade himself that there was such a hope. He would look at the question with different feelings, if he thought the limit of the Bill's operation to those who were unable to pay would be effective; but he could not entertain that hope. How on earth could the landlord prove that a tenant was unable to pay his rent? The tenant might have money in his pocket of which the landlord could know nothing. If the tenant had money in the bank, he would keep it so that it could not be traced. On the other hand, their experience of the working of the Land Act, as regarded litigation, so far led him to believe that no evidence on the part of the tenant of inability to pay would be available to any extent. They might assume that the Act would apply to those who had hitherto obeyed—and who would, doubtless, continue to do so—the instructions of the Land League to "hold the harvest," and had refused to pay the rent. What effect would that have on the public mind in Ireland? The right hon. Gentleman who spoke last (Mr. W. E. Forster) seemed to think little of this demoralizing effect, and put it to one side. To him (Mr. Mulholland) it appeared very grave indeed. The right hon. Gentleman spoke of the advantages the landlords would gain by the receipt of rents under this Bill; but no landlord would be so short-sighted as not to perceive that these advantages might be counter-balanced by the immense inducement there would be in future to all tenants to glide into arrears. If the money had been advanced as a loan and not as a gift, this demoralization would not exist to the same extent. The Bill would be a terrible discouragement to the man who, at the risk of life and limb, had resisted all attempts to draw him into the "no rent" path, and who had paid his rent at immense risk, even danger, when he found men similarly rented, and who had declined to pay, were absolutely made a present of their arrears. Nothing could be more disheartening or discouraging to those men; and if there should arise another agitation, in which the honest and law-abiding would be ranged against the dishonest and lawless, it would not be surprising if they found that the friends of honesty had greatly decreased, and that its enemies had increased. He believed it would be of far greater advantage if the money were given in the shape of loan; and he was glad to know that many hon. Gentlemen opposite, representative Members, coincided with that view, amongst them the hon. Members for Tyrone (Mr. T. A. Dickson) and the County Cork (Mr. Shaw). Perhaps English Members would be more inclined to come to the same conclusion if they found that the Church Surplus was not in a position to pay it. For himself, he doubted very much whether the Church Fund was in the condition that many hon. Members expected. It was difficult indeed to make any accurate statement with regard to that Fund. They had had no balance-sheets since 1840. His idea was that the only intelligible basis on which to arrive at the state of the Fund was to take the total amount of liabilities on the one hand, and on the other the total amount of assets. The Church Temporalities Commissioners had never presented a balance-sheet framed in that manner. Their receipts for 1880 included money that had been received for sales of land and tithes, as well as the instalment of Terminable Annuities; but it was his belief that if the balance-sheet were made up to-day, showing the value of the assets on one side and the amount that had been borrowed on the security of them on the other, it would be found that there was no surplus. He, of course, was aware that it was possible, by a system of book-keeping, to treat income that would accrue in future years from a less solid form of security than that upon which the money was borrowed as if it were a surplus and discount it at the present day; but his contention was that then there would have no difference in the rate of interest for the two securities, and that the difference in the rates of the securities only represented the risks. That would be a mere banking transaction, and the interest would not deserve to be entitled a portion of the Church Surplus. The amount raised in 1880 did not correspond with the amount that was estimated to be received with reference to the Irish Relief Fund. The arrears of the tithes had been estimated at £148,000, and the amount was steadily increasing, therefore all calculations on the assumption that the instalments would be fully paid up were fallacious. From a rough estimate he (Mr. Mulholland) calculated that the present net income from the tithes and from land which belonged to the Church was £450,000, and that the amount borrowed upon it was £9,700,000, to which had to be added £20,000 a-year, which would go to the Universities, and that would require £670,000 of Consols. He could not state exactly the amount that was expected to be raised from the Relief Fund. He thought it would be better to have no reference whatever to the Irish Church Temporalities, because it might induce hon. Members to believe that there was a substratum of security where, in reality, none existed. For the reasons he had given he thought the money should be granted as a loan. If they took £15 as the average sum to be given to each tenant, it would only amount to 10*s.* a-year, and the maximum would only amount to £1. That was a very small amount compared with the sum deducted from their rents by the Sub-Commissioners, and the payment of it would put the transaction on a sounder basis, and one more consonant with justice and with equal right.

MR. SHAW said, he had listened carefully to the speeches of the right hon. Gentleman the Prime Minister and of the late Chief Secretary for Ireland; and perhaps it was owing to his want of appreciation that they had not convinced him that the principle on which the Bill was founded was the right one. He (Mr. Shaw) still continued to hold, as he did some time ago, that the principle of gift was an unsound one, and that the principle of loan was the one upon which the Bill should have been founded. He thought, even financially, it would have been better for the tenants of Ireland themselves to have a loan on moderate terms than a gift made upon the terms contained in the Bill, which commenced by providing that every tenant should pay a year's rent, and if a man was not able to pay a year's rent he was excluded from its operation. He had heard, and believed it was true, that in nine cases out of 10 the people they desired to help, and for whose benefit the Bill was designed, were unable to pay a year's rent up to last November. Then, how was the Court to find out the inability of the tenant to pay? A man might have a small farm pretty well stocked, but he might have no money; and was the Court to pronounce him unable to pay his rent? If left to himself he might struggle through his difficulties; but the Government, by this Bill, would send to Ireland missionaries, who would by their conduct teach what was not right. On one side of the boundary there might be an honest struggling man, who had for years performed his duty honestly, and paid his rent regularly; while, on the other side, there might be an unfortunate man who, probably owing to his own habits of intemperance and to other causes, was now in arrears, which he was unable to pay, and this man was to be taken up and petted, and helped by the State. He did not wish to do more than hint at the reasons why he thought the principle of the Bill was bad; but now, after the Prime Minister had stepped in, he looked upon it as a foregone conclusion, for he did not think it would be possible to carry any other measure. He acknowledged that the question was one of great difficulty, and when he sat down to consider it he could not see how it could be touched at all; if they did touch it, he felt that they would be taking a course of the end of which they had no idea, and teaching the Irish people lessons which they had no right to teach them. He also felt, when he set about considering this question, that they would be helping people whom they had no right to help by any fund whatever. It was rather amusing to hear the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) tell them that the balance of the Church Fund would be enough to meet the claims arising under the Bill, and yet he talked of the State being about to undertake the matter. He (Mr. Shaw) supposed it did not probably occur to the right hon. Gentleman that this was a peculiarly Irish fund, and that if it was found sufficient the State would do nothing at all in the matter. It was also rather amusing to hear the right hon. Gentleman who moved the Amendment (Mr. Sclater-Booth) rouse up the feelings of the Scotch and Irish Members against taking the money out of the Consolidated Fund.

He (Mr. Shaw) was told that the charge for Cyprus was a considerable charge, and there was a strong suspicion that the charge upon the Fund for certain wars, such as for the Abyssinian War and for the Afghan War, was a very considerable one; but the idea of touching the Consolidated Fund for the relief of a few poor persons in Ireland, or even of lending the money to them, who were the children of the State, was a proposal which horrified the great Party opposite. The right hon. Gentleman opposite did not take a very wise or dignified course in raising that argument, for the fact was, the State owed the Irish Church Fund something like £1,500,000. They all knew that when the Church Bill was introduced there was a certain charge upon the Consolidated Fund for Maynooth College and for the Presbyterian ministers in Ireland; and he remembered that in the first Session in which he sat in that House—a green Legislator—he was astonished beyond measure to see that that great country, in carrying out great measures, did the little job for itself, and took away from the Irish Church Funds equal to £1,500,000. He thought the first thing the right hon. Gentleman opposite who moved the Amendment should do was to move that the money should be paid back to the Church Fund. In England they could, of course, play with such little things as £1,500,000, and think it nothing. In their great centres of industries, where wealth and comfort abounded, they would have no trouble whatever, by small taxes and by contributions from their merchant princes, in doing things for education and charity which they in Ireland were unable to do at all in the South and other parts of Ireland. In many parts of that country there was an amount of native talent that could not be surpassed. They had an Art School in Cork that had produced wonderful talent; and yet it was located in such a place that, in wet weather, persons attending there had to put up their umbrellas to keep themselves dry and prevent their work being spoilt. The poverty was so great in the country that none of their Corporations or Local Boards could afford to levy a tax for the improvement or development of institutions of that kind, which some people might think sentimental. A man who had to struggle for his living did not like to pay money for teaching Art and Science; and, therefore, he thought it would be of immediate advantage that they should have in the country a Fund like the Church Surplus for purposes of that kind; but, by the Bill, the Government proposed to take away the whole of that Fund, and to give it to a class of people not the most excellent in the country. They forgot that there were other classes suffering in Ireland, who were equally poor and equally deserving of help. He agreed with the right hon. Gentleman the Member for Bradford that whatever was going to be done should be done quickly, and that the machinery for carrying out the Bill should be expeditious. It should not be hanging over for a long time, and he did not think the tribunal selected should be one already pressed with heavy duties. He must say he had the greatest dislike to patchwork legislation of this kind on the great Irish Land Question. It was but a part of the greater scheme recently unfolded, which included the question of purchase and other things introduced by the hon. Member opposite (Mr. Redmond), and, if possible, it should be taken up in a way that would settle the whole question. The right hon. Member for Westminster (Mr. W. H. Smith) had in his mind some great scheme of purchase; but he (Mr. Shaw) supposed the great Party opposite got so frightened at it that he had to withdraw it. Last year the right hon. Gentleman submitted a plan to the House which was well worthy of careful consideration by the Government. He proposed to erect an independent tribunal outside the Treasury for dealing with this great operation of purchases; and, although he (Mr. Shaw) was sorry that the proposal had not been entertained by the Government, he hoped it would not be lost sight of. If they had such a tribunal to deal independently with the question of purchase, it could also deal with the question of arrears without embarrassing any other body. However, as he said before, he now looked upon the question as practically settled; and as he was most anxious to relieve the poor peeple who were suffering from a load of arrears, and to prevent them being driven off the face of the country, he could not offer any opposition to the Bill, and he should be very sorry to put his ideas or notions in competition with the minds of the people. He thought it better to have the Bill as it was than have no Bill; and, therefore, he hoped the second reading would be taken that night, so that they might be allowed to go into Committee.

COLONEL DAWNAY said, that, in passing that Bill, the House was practically obeying the behests of the Land League. They were going to pay the rents of a great number of tenants who could have paid them; but they were told by the Land League not to pay them. The lesson the Bill would teach to the Irish tenant would be that if he obeyed the law of the land he would be exposing himself to outrage and death; and all that a tenant had to do to advance his own interest and consult his own safety was to obey the orders of the Land League. Who were the real authors of this Bill? The Bill was only the adopted child of the Government. The real parents were the Land League—the open and avowed enemies of England—those who had already demoralized the people of Ireland, who had stirred up that evil spirit which they were now unable, if they wished, to allay—those were the men whose advice and counsels Her Majesty's Government were endeavouring to carry out. It was in the hope of conciliating these Members that the loyal classes had been sacrificed, and this Bill had been introduced. If the Government continued to pursue this policy they would find themselves in the position of the Roman Empire in its decline; they would at length reach a day when they would have no more bribes to throw away to the barbarians. He was amazed that the right hon. Gentleman had said nothing about the future, although he had spoken of finality. Mr. Davitt did not see any finality about it. He respectfully challenged the Prime Minister to explain to the House in what way the claims of the present generation of Irish tenants upon the public purse were stronger than those of any past or future generation; and he commended to his attention the words of Mr. Goldwin Smith in *The Times*, where it was shown that the Bill was a concession to Irish terrorists. He maintained that the loyal classes of Ireland had been plundered, sacrificed, and ruined; and he contended that this Bill even would not satisfy the people it was meant to pacify, inasmuch as there would be more arrears of rent in the course of a year or two, payment of which would be demanded, and, if not acceded to, fresh outrages would be the result. It failed to draw a distinction between the honest tenant who had fallen into arrears from want of means, and the dishonest tenant who, although able to pay, had not done so, but had allowed his arrears to accumulate. It failed, too, to provide compensation for the families of those men who had been murdered, because they had dared to disobey the edicts of the Land League.

MR. GIVAN said, he regretted the tone of the remarks of the hon. and gallant Gentleman who had just sat down (Colonel Dawnay), for, in his opinion, such statements were not calculated to improve the existing relations of this country with Ireland. At a time when all were anxious to conciliate the Irish people, and to afford them some relief in the direful condition in which they were placed, speeches containing such an amount of acerbity were out of the question, and, he was afraid, would detract from the advantages of the measure to a considerable extent. If the Bill was to be watered down by hon. Gentlemen on the Benches opposite it had better be withheld. He believed that in the Compensation for Disturbance Bill last year the argument of economic principles had been exhausted. He regretted exceedingly, with the hon. Member for Cork County (Mr. Shaw), that the whole subject of Irish relief had not been dealt with in the Bill by the insertion of clauses providing for the extension of the Purchase Clauses of the Act of last Session, and the extension of that measure to leaseholders, so that they might stand upon the same footing as tenants from year to year. The extension of the Purchase Clauses and the fixing of fair rent he knew must come before the House; but because the Government did not think fit to deal with these in the present Bill was no reason why it should be kept back, and the proposed measure of relief to the people be refused. He objected to the manner in which the tenant was to prove his inability to pay the rent, and he did not see why the County Court should be made subservient to the Land Commission. The latter had more business than it could do for years to come, and ought not to have further duty imposed upon it. The number of cases in the Land Court up to the 28th of the last month was 77,326, and of those only 8,606 had been disposed of. He would suggest that the Land Commission should call for a statement of the account between the landlord and tenant for the past three years and let the balance be struck. This account could be verified by affidavit by the landlord or his agent and the tenant, before a magistrate; and if the Land Commissioners had any reason to doubt the account they could refer it to the Petty Sessions Court. That would be a cheap way of dealing with the matter, and one that would be always accessible. He objected to the limitation of £30. No doubt, the rents due were chiefly from tenants under £30; but if the superior class of tenants above £30 were excluded from the benefits of the Bill there would be a class—limited, he admitted, but still a class—the centre of disaffection and discontent in the neighbourhood; and if these men were left in that condition, it would be a matter of regret to the Government that they had not extended to them the benefits which they held out to the smaller tenants. They would be agitators in the neighbourhood in which they lived; and inasmuch as they were few in number, and had, as a rule, paid their rents, the sum required for their benefit would be small. With regard to the economic principle, in the year 1847 the House cheerfully voted a sum of £10,000,000 to relieve the Irish people in the Famine. It might be said that that was not an analogous case; but he contended that it was. The reason in 1847 was that the people had been reduced to such a state of poverty by the rack-rents and law then existing, that the moment the crops failed they were reduced to starvation. They were now reduced to poverty and inability to pay their rent from the same causes. They had been for years in circumstances under which no country could thrive. The same principle would be at work in the grants with which that Bill proposed to relieve the tenants from the incubus round their necks in the shape of arrears. If the County Courts were to be utilized, some further provision must be made in the Bill. All the arrangements for sittings for the year were fixed on the basis of the line required in past years, and if further work were put upon them the time would be totally inadequate. He thought the Bill ought to be amended by enabling the local magistrates—either one or the whole Bench—to take the affidavit or declaration settling the account between the landlord and tenant. Imposing that work on the Land Commission or the County Courts was making a machinery which would not work satisfactorily to the tenant. Promptitude was what should be aimed at in the Bill, and that could not be obtained by giving the work to the Land Court or the County Courts.

Mr. GREGORY said, he could not contemplate with satisfaction either the proposed gift, or the alternative of a loan; but, as a choice between two evils, and after having considered the matter fully, he had come to the conclusion that relief in payment of arrears had better be given by means of a gift than a loan. That was the question raised by the present Motion. There was, no doubt, a larger and more important one upon the Bill itself—namely, its soundness as a financial operation, on which he would be prepared to give his opinion at the proper time. What they were dealing with now was in what shape the relief was to be afforded, on the assumption that relief was to be given in one way or the other. Now, one of the conditions of the relief was that the tenant should be unable to discharge the antecedent arrears. If the money were lent to a tenant on that condition, what security could the Government expect from him, and how could payment of the money advanced be enforced against him? Some had suggested that the money should be lent by way of loan at 1 per cent interest; but there was a very grave objection to placing the State in the position of a creditor to men of the class proposed to be benefited by the Bill, which was, in fact, almost a gift. A great outcry would be raised against any Government enforcing these loans, and all kinds of pressure would be put upon them to forego them. In fact, first or last, that would be practically a gift. He thought, however, that as a gift, some scheme of voluntary emigration might fairly be carried out by it. He admitted the force of the argument that to make emigration compulsory by the Bill, or the advance of money dependent upon it, would be to discredit emigration altogether; but that would not apply to the application of the money to this purpose with the consent or at the request of the tenant. Now, a few words as to the machinery for carrying out the Bill. He participated in the doubts which had been expressed of employing the Land Commission for the purpose. They had already every weapon in their hands; and, with great respect to the members of it, he doubted the competency of many of them for the investigations which would be necessary under the present Bill. Great frauds would be practised upon the Government unless great care was taken. Truth was not the characteristic of the Irish peasant; and, in the present instance, his whole interest would be to conceal or pervert it. The Government should have officers upon whom it could fully rely to carry out the Bill, with full power to call for bankers' books, accounts, bought and sold notes, and other documents of that description, and to ascertain in every way the state and condition of the applicants under the Bill. He threw this out for the consideration of Government, and reserved to himself the right to vote against the Bill itself; but he could not concur in the Resolution which was now proposed.

MR. NELSON said, he felt bound to protest against the language of the hon. and gallant Member for Thirsk (Colonel Dawnay), who had said that the men who thought that the whole ownership and occupation of land should be re-examined and reviewed were demoralizing the people. He (Mr. Nelson) did not wish to anticipate the future; but he regarded the present Bill as a means of giving a sum of money to men who were in distress, in order to relieve their families who were in squalid poverty. He did not regard the measure as at all likely to settle the question of land in Ireland. That was a question which had to be settled, he suspected, on a very different and far wider basis. They talked of arrears of rent. Arrears of robbery, arrears of dishonesty, arrears of racking poor men to penury! The evil of the system was that it allowed one man to take from another his unpaid labour. There were large quantities of land in Ireland that ought to be resumed by the Government of the Empire, and very small compensation conceded. They could not govern Ireland from that House. They might rule it with 60,000 armed men; but to govern a country implied that they had the assent and the consent of the people. Another proposition which he would lay down was that the land of a country was given by the Creator to the people of the country for their support. Probably there were 10,000,000 acres in Ireland which would be worth £1 per acre. It might be that there were 500,000 acres that might be worth 10*s*. per acre. There might be 2,000,000 of acres which were worth a few shillings an acre. There were multitudes of acres that were worth nothing at all. It would be far wiser for that House to take up the question of how to settle for all time the Land Question, by letting the land of Ireland become its own security for any sum of money which was necessary to put it in the possession of the people. When that was done, let an Exchequer be formed for the price of the land. Let the people of Ireland have the land at a fair value, and let the land be held responsible, as in Switzerland and other countries, for the defence and the support of the Government. These would probably amount to a rent as high as the present rent. That might be; but until the people became masters of their own industry they would never have stable peace in Ireland.

MR. O'SHAUGHNESSY in supporting the Bill, said, he thought it would do much to help the tenants who were anxious to be solvent and to be honest, as well as the landlords who were anxious to be merciful to their tenants. The provision which made it necessary for the tenant to pay a year's rent would, he thought, go a great way to prevent collusion between landlords and tenants for the purposes of fraud, either upon the Irish Church Fund, or upon the Imperial Exchequer. The tribunal that had the settlement of these cases would not necessarily have to adjudicate upon all that came before them. In the first place, a tenant would have to show his inability to pay beyond a certain amount; then, on the other hand, the landlord must show that the tenant had paid a year's rent. If a tenant were unable to pay even one year's rent there was no prospect of his being able to pay in future, and it would be hopeless to aid him by a grant. The main question at issue was whether the grant of money to the tenant should be made by gift or by loan, and it had always appeared to him that there was a very strong argument in favour of making whatever assistance was given — within certain limits, and under proper conditions—a gift. The arrangement was this—the very existence of arrears at all was due, to a large extent, to the fact that, in many cases, the rent exacted had been excessive. For instance, there was the entire class of cases, for which the first part of the Land Act, dealing with the reduction of rents, was passed. In that case there was no doubt whatever that if the State had stepped in early, and had done years ago what it was now proposed to do, that act of justice on their part would have prevented, to a large extent, the growth of arrears. It would certainly have prevented the existence of arrears to the extent that it was now proposed to meet by State aid. The action of the State was now only repairing an injustice that was inflicted upon the Irish tenants years ago; and, therefore, he could not agree with the hon. Member for Cork County (Mr. Shaw) in thinking that there was anything demoralizing in a tenant becoming the recipient of Government assistance in the shape of a debt due to him from the State. It was only by the abuse of the provisions of the Bill that any demoralization could ensue. At the same time he could not cordially welcome the proposed gift, for he was in the unfortunate position of having to bring forward tomorrow a question which was seriously damaged by the proposal of the Bill. He was going to have asked the Government to give additional assistance to the cause of Irish Intermediate Education from the Church Surplus, and there would be great disappointment at the danger which had happened to the prospects of Intermediate Education. But the present crisis was too grave and too full of deep responsibility to the Government to justify any Irish Members in raising their interests in opposition to the grave and vital interest under this Bill. The hon. Member for East Sussex (Mr. Gregory) had said that it would be a dangerous thing to allow men to receive assistance from the State. He (Mr. O'Shaughnessy) maintained that it would be much more dangerous and much more demoralizing to hold out to those men the temptation to bank against the State. Having regard to the fact that, in the future, many of these men would become the debtors of the State for the creation of peasant proprietorships, it would be wise not to place before them a temptation not to pay their just debts, by creating now a liability of which no one could see the end. As to emigration, he believed that the Land Act would lead to emigration, for the Free Sale Clauses were bound to lead to consolidation of holdings. The Bill would not touch holdings above £30 a-year, and he was sorry for it, for that limit would not cover many cases well deserving attention. To reach the tenants able to deal with the landlords on true economic principles, they must go much higher than that. He thought it should, at least, be extended to £50; and unless that were done it would soon be found that there were many tenants above the limit who were unable to meet their claims without feeling the dreadful pressure that now fell so heavily on tenants subjected to unnatural competition. He would also be glad to see such provisions in the Bill as would prevent anything like the possibility of fraud.

Mr. LEWIS said, that, in his opinion, it would be uncandid not to admit that that was a question of vast importance, not only to all who were connected with land in Ireland, but to the peace and order of that country. It must also be allowed that it was too late now to object to any proposal on that subject, because it was inconsistent with the acknowledged rules of political economy and with the precedents which the House had been wont to respect. Last year, they had not only followed, but had defied economic laws, and they were more or less committed to the principle of interfering with the contracts between landlord and tenant. They had now to deal with an exigency so grave that he should have been prepared to accept a Bill for giving assistance to tenants in the form of a gift were no other course open to them; but they had two alternatives presented to them—the one was the method of offering assistance by gift, the other was the method of a loan. One of the strongest objections to the form of a gift was the practical difficulty of carrying it out. If the aid were in the shape of a loan, all that it would be necessary for the Court to ascertain would be that there was a landlord and a tenant and a debt, and then, *pro rata*, assistance might be given. But in the case of a gift the Court had to ascertain the amount of the debt, to guard against fraud, and to inquire into the ability or inability of the tenant to pay. The tribunal would be helpless in attempting such a task. The tenant would appear in his most ragged clothes, and give the most pitiable description of his poverty; but there was strong reason for believing that many of the banks in Ireland could tell a tale that would be a striking commentary on the claim of many a tenant to participate in the largess from the State. He had expected to find in this Bill stringent powers for investigating the condition of tenants applying for its benefits, and that bankers would be called upon to disclose the state of the affairs of their customers who sought that relief. If a man had no money, but had crops in the field, cattle, and agricultural implements, which were liable, under the Law of Distress, for the very rent in arrear that was the subject-matter before the tribunal, was the Court to say that he was to be considered unable to pay? Or was the man to be told to go and sell his cow or his pig to pay his rent, because that would be sufficient? There was nothing in the Bill giving the smallest indication to the Court how it was to exercise its discretionary power, or affording any protection to the pocket of the State, by setting out what principle was to be followed in deciding whether a tenant was able to pay or not. Was the Treasury to be represented before the Land Court, or were single Commissioners, whether they were farmers, auctioneers, retired tradesmen, or lawyers, to be sent all over Ireland to test, by such cross-examinations as they were able to conduct, whether a tenant was "shamming" or telling a true story about his means? Probably there were some 300,000 tenants who might come within the purview of the Bill; but supposing that there were only 200,000, and that they had 20 or 30 Commissioners dealing with those matters, and taking eight or ten cases per day, would it not take many months before the majority of them was disposed of? He believed, in fact, next spring would be upon them before there was any reduction of the vast mass of cases which would come under the operation of the Act. From the very nature of the case, and having regard to all the agitation kept up by the Land League during the last year or two, instances of fraud might be expected to spring up like mushrooms under that Bill; and surely, therefore, it would not do to allow those cases to be decided on the *ex parte* evidence of the tenants alone; but the Commissioners should have the assistance of some responsible officer of the Treasury, who had made previous inquiries in the neighbourhood, and who would endeavour, on the part of the Crown, to test the truth of the tenants' representations. If the angel Gabriel could descend from Heaven, and, with the prescience which they all supposed he possessed, distinguish between the various classes of tenants, and point out to the Court those who were the proper recipients of a gift of this sort, nobody in that House would more resolutely ask the House to pass the Bill than he should. But they knew very well that was utterly impossible. The deception would take the form which they knew fraud always assumed when it was connected with a direct pecuniary advantage; and no tribunal, however acute or experienced, or however much evidence it might be furnished with, would be able to perform this duty with any satisfaction whatever. They were casting upon the Court a duty of the most difficult and delicate character, which ought not to be imposed upon it; and he therefore came, with great reluctance, to the conclusion that the assistance given should not be by way of gift. There were overpowering reasons against that method. Tenants who had paid their rent, having made sacrifices to be honest, could not take advantage of that Bill. Those persons had paid their rent, in many instances, by borrowing money, which they still owed; in other instances, by selling their stock, their implements, or their crops. There were other tenants, again, who had paid their rent by allowing other debts to grow up against them with the shopkeepers, and who had those other obligations still hanging over them, but had no means of meeting them. Again, there were a large number who had paid under distress for rent and under eviction processes which had been brought against them. Those clauses would have no advantage under the Bill, although they had paid their rent under circumstances entitling them to consideration. The honest tenant was not considered in this Bill. Supposing there were 20 tenants of townland, and 14 had paid their rent and six had not, what would be the feelings of the 14 when they found themselves left in the lurch, while their recusant neighbours were left with very considerable advantages under this Bill? There was not the slightest advantage in the Bill; in fact, the only argument that could be adduced in its favour was that it might contribute to the peace of Ireland. Who were the persons to benefit by this Bill? The great majority of persons who failed to pay did so by wilful default. The Bill dealt with—first, a class of men who were wilfully in default; next, with a class who spent their money in drinking and other extravagances, instead of paying it to their landlords; next, with a class who had not paid their rents through sheer fear of the operations and practices of the Land League, and who must have a great deal of money remaining in their pockets which they had not paid out. Then there was the last class, those who, by sheer inability to pay, had not paid their rents. To relieve this class no one would be more ready than himself to ask the House to pass this Bill; but it was the dishonest tenant whom this Bill would mainly benefit. What was the lesson as regarded the future? If it only related to the present and the past, he should vote for this Bill. But what was the lesson to be learnt as to the future by the acute Irish tenant when he heard of this Bill? He would say a state of arrears of rent was a state of happiness for the Irish people. Could anyone doubt, on reading the recent speech of Mr. Davitt, that they were on the eve of further agitation? The lesson in this Bill was—"Do not pay your rent; the last thing you should do is to pay your rent; always be in arrears; the larger your arrears the better is your position; begin to get into arrears the day after the settlement under this Bill; begin your new career by a new series of defaults." He wanted to know what answer there was to that? After learning this lesson of dishonesty, how could the Government suppose that the Irish tenant would settle down at once and become a punctually-paying, contract-keeping, and law-abiding man, when by the Act of last year they told him not to mind his contract, and by this Bill not to mind his rent? A tenant who piled up large arrears of rent would be much better off than his neighbour who paid his rent honestly. This Bill was called a practical measure; but it was impossible for it to assume a practical shape, unless it authorized an arrangement by loan and not by gift. If the latter course were adopted, it would only incite to fraud, and would store up for the future a heavy load of dishonour and dishonesty which the Legislature had taught the Irish tenant to carry out. On the other hand, all the objections to the Bill would be destroyed if the transaction were made a loan. That would keep up the principle of honesty and the obligation of paying one's debts. It was said the repayment of the loan would be too heavy a burden upon the tenant; but with an average reduction of 22½ per cent in the rent, which was now going on, he did not think that proposition could be maintained. In any case, it was impossible to go back, for it could not be denied that the question of arrears formed a serious impediment to the working of the Land Act. That principle was the only one which could with justice be applied to the present case, and he trusted the Government would adopt it.

Mr. CARTWRIGHT was understood to say he had great difficulty in determining which way he ought to record his vote. He would not say that he would vote against the Bill; but he should hesitate before recording his vote in its favour. It appeared to him that the arguments they had already heard were arguments which were not founded on any principle, but solely upon expediency; though he frankly admitted the difficulty of satisfactorily dealing with the subject. He admitted, also, that the arguments of the right hon. Member for Bradford, though they appeared to him to be based upon expediency, were arguments of no light character; while, on the other hand, he must confess that the Bill contained points so remarkable that they compelled him to hesitate. The substantive point of the Bill—one of grave importance—was, of course, the question between gift and loan; and he believed that question involved one of the most difficult problems they were ever called upon to deal with. With respect to the question of arrears, one or two difficulties had occurred to him.

In estimating the inability of the tenant to pay the arrears of rent due, which was a condition precedent to his obtaining relief under the Act, he wanted to know what would be considered assets of the tenant? The Land Act of the preceding year had invested him with a valuable tenant right. Would that be considered assets of the tenant, and sold to pay his debts? He admitted he might be in some danger of being considered hard-hearted; but he could not help being impressed by the arguments of the hon. Member for the County of Cork (Mr. Shaw), when he spoke favourably of the system of loan, instead of gift; The Prime Minister objected that a loan at 1 per cent really involved the principle of gift; but he forgot that in 1880 he advanced to the landlords out of the Church Funds large sums of money, repayable in 35 years' time, at only 1 per cent interest; and if a loan was assented to then, grave reasons ought to be required to reject it now. The hon. Member for the County of Cork brought forward these views in a public document in the Press in a Memorial presented to the Prime Minister. He well remembered the terms of the Kilmainham letter, and from that he concluded that hon. Members opposite were opposed to the loan system; but he felt perfectly certain that the effect of the Government proposal would be to stop altogether any further payment of arrears—tenants would now wait and see what was going forward, and payment of arrears would cease altogether after this night's debate.

SIR JOSEPH M'KENNA said, he thought the scope of the Bill had been exaggerated, and that it was not open to the objections urged against it. He would remind the House that it was only intended to deal with cases in which tenants were really unable to pay their rents; those who were solvent not participating in the benefits of the Act. He failed to see how people who were unable to pay their debts in full were to be demoralized by payment of a composition of 10*s.* in the pound. The consent of the landlord to the tenant's application to the Court should be sufficient evidence that the tenant was entitled to the relief he asked. The landlord was the man who had dealt with the tenant, probably for a number of years, and who would have to accept a composition; he would be the most likely person to be able to judge of his solvency or the reverse. With regard to the tribunal, he quite agreed that there ought to be a separate one composed of one or two men in each county, who would dispose of cases as they arose; and he suggested that some clause to that effect should be added to the Bill. As to the question of loan or gift, he would have preferred the loan, but trusted that the Bill would pass a second reading, and that it would be amended in that respect in Committee.

MR. T. A. DICKSON said, he agreed with the hon. Member for the County of Cork, that loan, and not gift, was the best way of dealing with this question; and he regretted that the Prime Minister had departed from the sound financial principles which had hitherto guided him throughout his life. He (Mr. T. A. Dickson) opposed this mode of gift because he believed it would have a demoralizing influence upon the people who might receive it. They would see tenants who had refused to pay their rents rewarded, while those who had worked hard and denied themselves in order to discharge their debts would feel justly sore at obtaining no advantage and being left out in the cold. The Prime Minister had some time ago said that he would be influenced by Irish opinion. The right hon. Gentleman having expressed his wish to have Irish opinion on the subject, the majority of the Irish Liberals met, and considered the question of arrears. He (Mr. T. A. Dickson) acted as secretary to the meeting, and it resolved—

> "That the Court or Commission appointed to deal with the arrears should have the power to advance the sum of 15*s.* in the pound for the purpose of extinguishing them, and that the sum thus advanced to the tenant should be collected by local authority."

They thus proposed that 75 per cent of the arrears should be advanced by the State upon loans, and in that proposal they believed they were acting on sound principles and adopting a course for the benefit of the tenant farmers of Ireland. That system was founded on the precedent of last year, when money was advanced to the Irish landlords.

MR. J. LOWTHER: Not to the landlords. It was advanced to relieve the distress of the people.

MR. T. A. DICKSON said, he believed the landlords reaped a rich harvest by the loans. With regard to the position of the landlords in Ulster, they were secured by the tenant right, and he did not believe they would lose any of their rents. He wished, however, to know whether the Government intended to do anything for those poor tenants who were evicted, as in Connemara, a few days ago, and whom the Act would not therefore assist? One of the first questions that would arise would be whether the value of the tenant's interest in his holding was to be taken into consideration, because upon that it would entirely depend whether a tenant was solvent or insolvent. Although he might object to the principle of the Bill, he should be glad, on behalf of the tenant farmers, to see any measure passed which would meet present difficulties and would relieve them of arrears of rent. He objected only because he wanted the thing done in a sound and satisfactory manner; he did not wish to reward those who had not paid their rents and to punish those who had. In Ulster, where there was no agrarian crime, there were more evictions than in any other Province. Tenants who obeyed the law, and who were evicted because they obeyed the law, would reap no benefit from the Bill. Had they obeyed the "no rent" manifesto they would have been in possession of their holdings. Parliament could not deal equitably unless it reinstated the honest tenant and discharged the amount of his arrears. It would be a mistake to give the business under this Bill to either the Land Commission or the County Courts. It would take years for the Commission to overtake the work already assigned to it; and the County Courts, sitting in many cases only four times a-year, were unsuited for it. What were required were, not lawyers, but men of intelligence—he meant business men of intelligence—accustomed to accounts; these should be enabled to deal promptly and effectively with the question, which either the Land Commission or the County Courts would take years to settle. To secure this promptness and efficiency the Bill would need to be altered in Committee. The limitation to a rental of £30 would exclude 60,000 or 70,000 of the very cream of the Irish farmers, the men who had been the stay of law and order, who had involved themselves with the banks, and reduced themselves to very great straits. A few hundred thousand pounds more would enable the Government to meet the most deserving cases of all; and he trusted the Government would assent to some modification of the Bill with this object.

Mr. BRODRICK said, it was the cardinal misfortune of the Bill that it embodied the opinions of the Home Rule Members, and not those of Irish Members in other parts of the House; and the divergence of opinion thus entailed would lead to delay and difficulty, which all would equally deprecate. Almost the only speech in support of the Bill had been made by the late Chief Secretary for Ireland, and that was conceived in a tone which was more likely to serve the opponents of the Bill than the Government. The question chiefly raised by him was whether the West of Ireland should be relieved of surplus population, or whether it should be rooted to the soil? The right hon. Gentleman gave reasons why it was important that the country should be relieved of the surplus population; but he arrived at the extraordinary conclusion that it was not desirable that the relief should be afforded by this Bill. He admitted that there must be an emigration scheme, but it must not be connected with the Irish Land Bill. He (Mr. Brodrick) submitted, on the contrary, that they ought to put out of sight the necessities of the Liberal Party in making the Irish Land Act a practical, working measure; and they ought to subordinate a temporary gain, to the permanent good of Ireland. Hon. Members opposite had laughed at the statement that the landlords would regret this measure because it was a temporary salve to the difficulty, and he believed that the position of landlords was now such that if they could see their way to turning an honest penny and recouping some of their losses they would not object; but, at the same time, he believed there were many men who looked at their estates, not merely with reference to the rental of a year or two, but also with reference to the effect of the measure on their future position. How far would a good result be obtained in this respect by the present Bill? Would it put men on the soil who would be capable of discharging their obligations? What was to happen when the next bad season came? The men who would be relieved would be left without resources for meeting it, for if they had means the Commissioners would refuse to advance them money, and the payment of a year's rent might leave them without anything to put into their farms. What arguments could be adduced from the Treasury Bench to support the belief that this would be an effectual remedy and that there would be something like finality about it? It was not enough that such a measure should be based on the opinions of one section of Irish Members. Turning to the actual defects of the Bill, he thought that the door would be opened to endless jobbery by the time allowed for applications under the Bill. Arrears were only to be settled up to November, 1881, while the period for applications was extended to June, 1883. Three half-years' of rent would thus in many cases be due when the settlement was made, and these new arrears would form the basis of a fresh agitation. In the interval no further rents would be paid, and Parliament would have stepped in to increase the existing difficulties, and would have thrown away public money in vain. It was inaccurate to say that there was no money in the country; for it was notorious that in the banks in Ireland the balances of the tenant farmers were greater now than they had ever been in the last 30 years. Moreover, they were the balances of men who would not pay their rents. These men would have the opportunity given to them of taking out these balances between the passing of the Bill and the application to the Court, and dissipating them among their tradesmen and their friends, and then they might ask the State to pay a year's rent for them. [*Laughter.*] Hon. Members might laugh; but this was the first thing that would occur to every Irish tenant as soon as the Bill was passed. He cordially re-echoed all that had been said by the Chief Secretary for Ireland, and also by the hon. Member behind him, with regard to delegating these extraordinary powers to one member of the Land Commission. If these powers were intrusted to anyone they ought to be put into the hands of an impartial person; and it could not be expected, after what had occurred in the last six months, that the landlords would deem the Land Commissioners impartial. He also hoped that the plan of the hon. Member for Tyrone (Mr. T. A. Dickson) would be adopted, and that men of intelligence, not lawyers, would be sent down to carry out the provisions of the Bill. The crucial point was as to who the recipients of the bounty would be. He contended that the tenants benefited would be those chiefly responsible for the disorders of the last two years. It was all very well for the late Chief Secretary for Ireland to assert that a large number of the rents of men who could afford to pay had been paid. Not one fact or figure had been adduced in proof of that assertion, and it was directly adverse to the view which he (Mr. Brodrick) had heard expressed by every other person of authority in the country. It might be taken as certain, even without the authority of the hon. Member for the County of Cork (Mr. Shaw), that there were a large class of men who could afford to pay but who would not pay; and it was these men who would be benefited by the Bill. He could mention an estate on which there had been an absolute refusal to pay rent for two years. The tenants had had two good harvests, and could afford to pay something. Of the 400 tenants, up to November last only two had paid rents, and since then nobody had been allowed to pay. One of those two men were murdered, and the other was dragged out and shot in the road. If evidence were procurable it would appear, as was well known to the police, that the crimes were committed by some of the farmers in the neighbourhood who had refused to pay their rent. This Bill, therefore, would benefit the very men who had brought those two honest tenants to their death. Again, the landlords who would derive benefit from the Bill would not be the best landlords in the country; for if the Chief Secretary's argument was good for anything, it proved that the tenants benefited were those in arrear from no fault of their own. Good landlords who had foregone rent would be losers; while those whose estates were too highly rented, but who refused to give reductions, would receive assistance from Parliament in respect of these excessive rents. Rack-rented tenants were the only men, according to the late Chief Secretary, who could not pay; and therefore the landlords whom it was proposed to benefit by this provision were the very landlords against whom the Act of last year was aimed, and those who were the least worthy to be recipients of our bounty. Everybody in that House, with the exception of a very few, would agree with him that what Ireland chiefly needed was—first, an improved class of tenants; secondly, a greater number of landowners; and lastly, a scheme, not of compulsory, but of permissive emigration, which would really relieve the starving districts. What was proposed to be done to attain any of those ends? The operation of the late Land Act had left all those ends more remote than they were before. By keeping unthrifty tenants on the soil it barred the way to the substitution for them of a better class. If the Land Bill had any excuse at all, it was to be found in the contention of the Ministry that its general application would relieve the country of grievance by assisting all classes of tenants. This Bill would actually perpetuate distinctions by creating a privileged class of tenants. If the Land Act failed to secure those ends, how could it be expected that they would be attained by the present Bill, which was really of a temporary and a flimsy character? The present measure would not really take us one step nearer the final goal. The Prime Minister had laughed at the Leader of the Opposition, when the latter had said that the whole Church Surplus would be gone under the present Bill, and nothing would be left for any scheme of purchase or emigration. But it should be remembered that, before the present agitation began, this policy, and not that of payment of arrears, was that to which statesmen of all Parties had looked for the permanent amelioration of Ireland. Yet, not only was this surplus to be entirely devoted to the arrears, but the hon. Member for Downpatrick (Mr. Mulholland) had shown that probably more than £1,500,000 would be required beyond the Church Surplus, and that only for a temporary benefit to the people of Ireland. The fact seemed to be that the Government were still uncertain as to their policy—were still groping in the dark. If the last Land Bill were not a reward for past agitation, he could only regret that it had already been made the vantage-ground for fresh agitation. The continuance of final measures to final concessions was calculated to demoralize the country, and it would henceforth be more difficult to make men pay their just debts. He believed that this Bill would fail in effecting a final settlement; and it would be remembered that every suggestion made by the Opposition had been disregarded, and every suggestion made by the hon. Member for New Ross and his Friends had been adopted. If the Government chose to follow a policy of compromise, it would look as if their course had been adopted from fear. He hoped that they would attempt in the future to choose a course in which there were some elements of consistency and strength, the absence of which had caused their policy hitherto to fail, and had greatly contributed to the present deplorable condition of affairs in Ireland.

Mr. BRAND said, he hoped that, though he was an English Member, he might be allowed to say a few words on the subject. The hon. Gentleman who had just spoken seemed to think the main question was whether the poor cottier tenants of the West of Ireland were to be rooted in the soil. But the question really was whether those tenants were to be able to obtain the saleable value of their holdings, which had been given them by past legislation, and which they possibly might lose in consequence of the arrears created antecedent to that legislation. That was the main point of the Bill, and one which ought to be steadily kept in view. There were, no doubt, grave objections to the Bill; but so there would be to any plan, and he had felt re-assured by the speech of the right hon. Member for Bradford. It had been said that many tenants had recently been found to pay who had money in their banks, but who had before refused to pay. The right hon. Gentleman spoke after great experience, and the conclusion he drew from his remarks was that it would be the poorer tenants who would reap the advantage of the Bill. There was one part of the right hon. Gentleman's speech in which he could not follow him. He feared, unlike the right hon. Gentleman, that those tenants would not be able to satisfy the condition of the Bill which required the payment of one year's rent. Therefore, he was inclined to follow the suggestion of the hon. Member for Tyrone (Mr. T. A. Dickson), that that condition should not in all cases be insisted on. If he were right, the poor tenants recently evicted in Connemara would not reap any benefit from the Bill. The right hon. Gentleman who had opened the debate spoke of the measure as Communistic; but they had become accustomed to that term, and it had lost its force. The right hon. Gentleman said that the method should be loan, not gift; but the Prime Minister had said that the only difference between loans at a small interest and gifts was one of degree. Therefore, the objection had little force. But, besides, the right hon. Gentleman opposite (Mr. W. H. Smith) had a scheme for buying up Ireland. He remembered that when a scheme was proposed of a tentative character to deal with about £1,000,000 for a similar object to that of the right hon. Gentleman he had referred to, Mr. Gathorne Hardy denounced it as Communistic and highly dangerous. We lived and learned, and what was then Communistic on a small scale was now adopted on a large scale. It appeared to him, not only from the Government, but from what had been recommended by a Committee appointed in "another place," that when we came to deal with Irish land we had to throw political economy to the winds in order to make things pleasant to all parties, landlord and tenant alike. But he derived some consolation from what the right hon. Gentleman the Member for Bradford had said, that the Church Surplus would be sufficient. He thought, if they were going in for generous legislation, the sooner they set about it the better. He did not think that the Bill was likely to be a precedent for English legislation. In England, during the recent bad seasons, landlords had made very large remissions of rent, varying from 75 to 50, 40, 20, and 10 per cent. But he was sorry to say that Irish landlords had not in any large number of cases shown a similar spirit. He would mention another point. If the Bill were intended simply to help tenants to pay who could not pay, nothing would induce him to vote for it. He saw no reason for the precedence thus given to the landlord. But by the Act of last year a substantial property in his holding was given to the tenant—a property which he had always claimed as his due, but which had not before been recognized by legislation. Whether rightly or wrongly, the tenant had become the real owner and the landlord a mere rent charger. It was that the tenant might secure the advantages thus given him that he voted for the Bill. It was only just to give a fair chance to these tenants to enable them to obtain a valuable interest in their holdings. He did not say that the plan proposed was the best, although it was, perhaps, the only feasible one. Perhaps he might be allowed to state that, two years ago, when the Compensation for Disturbance Bill was before the House, he made a suggestion that the Government should deal with the matter by bringing in a Bill for the temporary suspension of eviction pending the treatment of the whole question. The right hon. Gentleman the Member for Bradford characterized that proposal as being more stringent and severe than that of the Government; but he would venture to say that if his proposal had been carried out the position of matters would have been better during the last two years than it had been. He believed that the Government did right in making the system under this Bill a compulsory rather than a voluntary one. As regarded the proof which appeared to be necessary as to the tenant's ability to pay, they should remember that the right hon. Gentleman the late Chief Secretary for Ireland told them last year that that was a matter with which it was impossible for any Court to deal. He should be glad if the right hon. Gentleman the Chief Secretary for Ireland, in his speech on the second reading, would inform them how the Court was to proceed in reference to that matter. He had no doubt that the details would be settled and the Arrears Bill passed; but he was afraid that, after all, it would prove but a very temporary expedient. He did not know whether hon. Members had read an account which appeared in *The Daily News* on Saturday of certain evictions in Connemara. It was a very sad account. The writer said that even if these poor people in Connemara had their land rent free, he did not know how they would make a living. Under such circumstances, a plan of State-aided emigration could alone do permanent good to Ireland.

MR. GORST said, that, after the speech to which they had just listened, he could not be surprised at the Prime Minister's discretion in wishing to keep down discussion on this Bill. The right hon. Member for Bradford (Mr. W. E. Forster) had also told them that he hoped no extraneous matter would be brought into the debate. But that was impossible, since it was entirely on extraneous considerations that Parliament was asked to consent to its adoption. In his opinion, it was one of the most profligate measures ever laid before the House. The principal objection that he had to the Bill was that, under the peculiar circumstances in which it was brought forward, it would be regarded by the ignorant public outside, who had not their veneration for the constancy and consistency of the Prime Minister, and more especially by the people of Ireland, as the price paid by the Government for the Treaty of Kilmainham. In the celebrated letter to which reference had so frequently of late been made, the hon. Member for the City of Cork (Mr. Parnell) spoke of the absolute necessity of the settlement of the Arrears Question. The little bit about the support of Liberal measures was only a *hors d'œuvre*. The right hon. Gentleman had no understanding of any kind with the hon. Member for the City of Cork and his Friends; but by a strange coincidence—as strange as that by which the elder Mr. Weller had his coachful of voters upset, and to his amazement found a certain sum of money awaiting him at a certain place—a Bill had been introduced exactly on the lines mentioned in the letter from Kilmainham, and was forced upon the House as a necessity of the present juncture. Therefore, it was not at all unlikely that the notion to which he had alluded would rapidly spread outside the House if the Bill were proceeded with. They should remember the brave words used by the Lord Chancellor in 1880 at the Mansion House, when resistance to authority first commenced. The noble Lord then said—

> "It is and always must be one of the first, greatest, and most paramount duties for the Government to maintain the authority of the law with firmness and steadiness, and without respect to any man who seeks to introduce public disorder into the State and to insist that the law shall not be obeyed."

Why had not the principle then laid down by the Lord Chancellor been carried out? However, instead of insisting upon the maintenance of law and order at all hazards, Her Majesty's Government had introduced this Bill, and people out-of-doors would say that they had descended into making a bargain with those who were responsible for the outrages that had occurred in Ireland, and that, had it not been for the recent Dublin tragedies, they would not have introduced this Bill, and have allowed law and order to go to the winds. These were reasons why, at all events, the House should discuss this Bill before they passed it. He had been greatly surprised when the Prime Minister had told them that they were committed to the principle of this Bill by the Act of last year, and that, indeed, they were scarcely at liberty to discuss it, as it was simply a corollary of that measure; but it would be in the recollection of hon. Members that the clause bearing upon this question which was contained in the Act of last year was vehemently opposed, and it was only passed by the House of Commons because they were told that it was the one thing necessary for the pacification and contentment of the Irish people. Now, however, that the Land Act had proved a failure, this Bill was to be forced down their throats. What was the difference between this Bill and the clause of the Act of last year? Why, the right hon. Gentleman had carefully slurred over the fact that, while this Bill was compulsory, the clause of last year was voluntary. The right hon. Gentleman the late Chief Secretary for Ireland, in supporting that clause last year, had said that the objections that had been urged against it would have been perfectly good had the clause been compulsory, but were unsound, seeing that it was voluntary. It had been pointed out last year, on behalf of the Government, that the year 1880 had been a good one, and that, although the tenants might not be able to pay the rents of 1878 and 1879, they would be able to pay those of 1880 and 1881. Now, however, they were told that if the tenants would only pay the rent of 1881, the rent of 1880, which was in arrear, and which they could and ought to pay, was to be paid for them out of the Consolidated Fund. That was to say, it was to come out of the pockets of the taxpayers of the United Kingdom. So profligate, however, was this Bill, that it would actually create arrears where they did not exist, and would call upon the Consolidated Fund to pay a half-year's rent that had already been paid. It seemed a strange policy to pursue towards the Irish tenants to tell them that, because they had refused to avail themselves of the Arrears Clause of the Act of last year, they were now to have their arrears paid for them. What assurance had the House that the Government would not come down next year and propose that the rent of 1883 should not be paid out of the Consolidated Fund? One great objection to the Bill was that it would open the most extensive frauds upon the Revenue of the United Kingdom. That night the right hon. Member for Bradford had said that it would not be a very easy matter for the Court to determine the ability or the inability of a tenant to pay his rent; but last year he had used stronger language, and had said that it was impossible for the Court to determine such a matter. Would the right hon. Gentleman or one of his Colleagues point out to the House how the Court was to fulfil that which the Chief Secretary for Ireland last year said would be an impossible task? To his intense astonishment, the Prime Minister recommended that Bill because it was so equitable. He should like to ask one or two questions on this "equitable" idea. How was it equitable to the tenant who had paid—tenants who had paid under circumstances of great hardship and great personal danger? Tenants had been shot who had paid their rents; and how would this Bill look in the eyes of those men who had had the extraordinary courage to fulfil their obligations? How was the Bill equitable to landlords who had foregone their rents? They were now in a position that their harder neighbours who had refused to grant abatement were to be benefited under the Bill. Was the Bill equitable to those tenants who had wasted their money in sedition? It might be true that such tenants had not the money now; but where had it gone? In subscriptions to the Land League, in payments to promote seditious purposes. Did they think it was equitable to take the money of the English taxpayer to replace the money spent in sedition? He did not think the English taxpayer would consider that equitable. Lastly, would the Prime Minister explain how this Bill was to be equitable to the working classes of this country? What right had the Government to take the taxes of the people, paid with great difficulty and self-denial, and make a present of the money to Irish tenants and Irish landlords? That was a real hardship. A Member of the present Government took a remarkably strong view on this subject only in 1881. When it was a question of granting compensation for cattle slaughtered in connection with the cattle trade, the right hon. Gentleman the Member for Birmingham (Mr. Chamberlain) was very angry at the suggestion that money should be paid out of the Consolidated Fund for such a purpose. The words of the right hon. Gentleman were—

> "I have a very great objection to the proposal contained in the Bill that compensation in the case of the cattle trade should be paid out of an Imperial fund, and I will repeat the words of Sir George Grey, which to my mind are conclusive. With regard to the payment from the Consolidated Fund, Sir George Grey said:—'That the principle of applying the public funds to compensate private loss was an extremely dangerous one.' Nothing was more likely to lead to reckless expenditure than to use the bottomless purse of the nation for such a purpose."

He should like to know how, after that, the right hon. Gentleman could be a party to this Bill? There was, he thought, one consideration which might induce the British taxpayer to sanction such a proposal as was contained in this Bill. If there was the slightest hope that this concession would be the last concession, and that this demand on the public purse for Ireland would be the last demand, then the British taxpayer might assent to it. He did not say that even then the measure would be economically sound; but he thought the people of this country, like certain Members opposite, would be induced to forget their political economy. But would any Member of the Government get up and tell the House that there was the slightest hope that this measure would be a fixed one? Why, Mr. Davitt had said that the Land League was organized to effect the complete abolition of Irish landlords, and until that work was completely accomplished there could be no alliance between the people of Ireland and the Whig Party in this country. In the face of such a declaration from the acknowledged Leader of the Land League, it would be well for the Representatives of the taxpayers of this country to pause before they gave their consent to a measure which the Government confessed to be contrary to all political economy, but which they pressed upon the House in the vain and futile hope of satisfying the ultimate demands of the Irish people.

MR. TREVELYAN: Sir, it would ill become the Representative of the Irish Government, who are anxious to get this Bill passed, after the great consideration and indulgence shown by hon. Members, in compressing their speeches, to occupy the time of the House at any great length; but I cannot allow the speech of the hon. and learned Member who has just sat down to pass without notice. In one respect that speech was very satisfactory. I have not been quite certain with regard to some of the speeches made whether hon. Members at the bottom of their hearts liked this Bill or not. But about the speech of the hon. and learned Member who has just sat down there is no doubt whatever. The hon. and learned Member protests against the Bill on behalf of several clients, and the first of these clients was the British taxpayer—the working man—who would be called upon to pay a large sum of money to meet the debts of the tenant farmers in Ireland. On that point I take issue with the hon. and learned Member. I have constituents with, perhaps, the same income as the hon. and learned Member; and I venture to say there is absolutely no act or object upon which the taxpayers of England and Scotland would more willingly pay money, if they thought that money was well laid out, than to bring back tranquillity to Ireland. In every respect it is worth their while to pay it. If we look even to the commonest view, that of "pounds, shillings, and pence;" if we look at the Army, Navy, and Civil Service Estimates, it surely is worth while to make some moderate outlay, if, as I shall be able to show, that moderate outlay will do much to restore tranquillity to Ireland. Then the hon. and learned Member takes up the case of the tenant. He says that it is exceedingly hard on the tenants who have paid their rent. That is a point of view which has been spoken upon with very great force by several hon. Members in the course of the evening. I think those hon. Members have left out of sight what is, perhaps, the governing consideration of this question, why, either by loan or gift—I have not come to that yet—both sides of the House, at least a very large number of Members, think it necessary to assist the tenants of Ireland. It is because the times have been most exceptional. The hon. and learned Member asks whether this is the last case in which we shall come forward to assist the tenants of Ireland? So far as I can remember, no instance of this sort, in which money has been asked to assist the tenants of Ireland, can be quoted since the Famine of 1846. The reasons why we have come forward now are the bad years of 1878 and 1879. I only put into other words what was said by the right hon. Member for Bradford, when I say that the sudden rise in Irish agrarian crime which took place in 1879-80 was connected with the discontent which was fostered in an atmosphere of misery. There are parts of the country where the people could not pay their rents. They could not keep body and soul together without charitable assistance, and the helplessness and despair of these people gave the first material thirst for agitation, which afterwards spread into other districts, and was continued into other places where there was not the slightest excuse for disorder. That disorder the Government undertake to repress, under the Bill which commends itself to the vast majority of the House. And, at the same time, it is highly important to relieve the distress. Every day the Government gets reports of evictions, and wherever these evictions are of tenants who can pay their rents, and will not, the Government is very carefully informed by their officers. That is not the case with all evictions; and at this moment, in one part of the country, men are being turned out of their houses, actually by battalions, who are no more able to pay the arrears of those bad years than they are able to pay the National Debt. I have seen a private account from a very trustworthy source—from a source anyone would allow to be trustworthy—of what is going on in Connemara. In three days 150 families were turned out, numbering 750 persons. At the head-quarters of the Union, though only one member of each family attended to ask for assistance, there was absolutely a crowd at the door of the workhouse. It was not the case that these poor people belonged to the class of extravagant tenants. They were not whisky drinkers; they were not in terror of the

Land League. One man who owed £8 borrowed it on the promise of repayment in six months with £4 of addition—a rate of interest which hon. Members could easily calculate—that he might sit in his home. The cost of the process of eviction amounted to £3 17*s*. 6*d*. I am told that in this district there are thousands in this position—people who have been beggared for years, people who have been utterly unable to hold up their head since those bad years, and whose only resource from expulsion from their homes is the village money-lender. There are some who think the remedy for this is emigration. Amongst those I certainly, speaking privately, enrol myself. Nothing has delighted me more for the short time I have been in Ireland than the admirable efforts which private enterprize promoted for emigration; but, whatever the ultimate remedy, I agree with the practical advice of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) that Parliament would do more to mitigate the position of these poor people, and give them time to look about them, without having them turned out of their homes; although there may be some—I am told that there are not many—who would not stay in their homes if this Bill had been passed, for the landlord would get something in the end, and would not be driven to eviction by that necessity, which, I am sure, is the only necessity which oftens drives landlords to eviction, that they get almost nothing from their property. As regards the number of evictions, I notice that the hon. Members expressed dissent when I spoke of this measure bringing tranquillity to Ireland. I cannot help thinking that the discomfort and uneasiness must at this present moment be credited to evictions, because I find that in the year 1880 the average in each quarter of evictions was 473. In 1881 the average in each quarter was 805. [Mr. SEXTON: Are these families?] Yes; in the first quarter of this year, ending in March, the evictions amounted to 1,299, and in the month of April they have reached 512, which I presume to be decidedly the highest figure which evictions have yet reached. Some of these, no doubt, can pay; but after three such years as 1877, 1878, and 1879, there must be a great deal of embarrassment and destitution. Even as regards those in the more prosperous parts of Ireland, I think if we could get them the advantage of a fresh start, and a feeling of independence such as they and their forefathers never have known, we should spread hope and contentment throughout Ireland. So much as regards the tenants. I should like to say a word about the landlords. Is this a real advantage to the landlords? I must say that if the landlords of the counties of Warwickshire, Hampshire, and Wiltshire could get their rents in full for last year, and 50 per cent for the two years that precede it, they would think themselves exceedingly lucky. I do not wonder that the accounts sent us by a very eminent special Resident Magistrate are that the landlords will gladly except the payment of arrears as proposed. The landlord will get in some cases what he must have long considered to be a very bad and hopeless debt. There are Irish estates where there are arrears of extremely old standing, going as far back as 1847. Now, I have no doubt that some discussion will arise upon this point, whether we ought not to place a limit to the arrears and say that no arrears incurred previous to 1877-8-9 should be taken into account. On the other hand, any backward limitation would interfere with that which the Irish Government consider the main purpose of the Bill. The essence of the Bill is the clearance of accounts all through Ireland once for all; and it is impossible to call upon the landords compulsorily to do their part unless you allow them to bring before the Land Commission all arrears whatsoever they can prove to the Land Commission to be genuine. It is said that the door will be open to fraud, but no respectable landlord will allow his tenant to say he is insolvent if he were not so; and it is, moreover, the landlord's interest to press him for all the rent he can get. In making preliminary inquiries, the Government have found no difficulty in ascertaining from its officers in Ireland on what estates two years' arrears are owing and on what estates there are more. I believe that hon. Members will be astonished when they see this Return and find that the amount is not nearly so great as they imagine. The Government will keep its mind open to suggestions such as that of the hon. Member for Tyrone; but, whatever the new Court may be, I do not see why it should have any greater difficulty in ascertaining a tenant's inability to pay than the Bankruptcy Court has in ascertaining how much a bankrupt can pay in the pound. It is said that this Bill will demoralize the country. In the first place, there is one clause the very opposite to demoralizing, upon which too much stress cannot be laid. By Sub-section 1, paragraph A, a tenant is bound to pay in full the rent beginning at Michaelmas, 1880, or the landlord must have remitted it. That year is the one in which the anti-rent agitation took its most acute form. I do not want to enter at any length into that subject; but hon. Members will see that no more moral obligation could be laid upon the tenants of Ireland than that they should be obliged to pay the rent of that particular year. As to the question of this payment of arrears being by gift instead of by loan, I do not see the drawbacks that some profess to see. There are circumstances in which proceeding by loan is a very good thing, and the Irish people have before now shown themselves perfectly fit to be trusted with money on loan. Since 1822 there has been a disposition to lend money to the fishermen in the maritime counties of the South and West, for the purpose of providing them with boats and nets; £38,000 has been lent in that manner, and of that £10,000 is now outstanding; the money is always repaid within two or three years at most, and, notwithstanding all the terrible chances of the sea, the Commissioners have had to write off little more than £1,000 as bad debts. At the present moment there is a Bill before the House for modifying the management of these loans, entitled the Reproductive Loans Fund Bill. But to lend money in order that it may be made productive and to lend it to pay off debts are different things. I fail to see the analogy, also, between this case and that of the loans to landlords for the relief of distress. Those loans were lent for the purpose of making reproductive works. In public as in private life it is found to be very bad policy to lend money in order to pay off debts. The Government have tried both systems. In India the Government in some cases bargained with the Zemindars to excuse the ryots their arrears, and they in turn remitted them; and that is exactly the course the Government now propose to take in Ireland. But where the Government was practically the landlord, dealing directly with the ryots, the arrears were made chargeable as a loan on the land; but in two or three years it was found that the debt could not be recovered, and the arrears were remitted altogether. The tithe arrears in Ireland are another instance. Then the Government bargained with the clergy to excuse arrears of tithes to the farmers on their paying a composition of two-thirds of a year's tithes. The Government intended to recover the arrears from the tenants, and they did recover some; but when the Attorney General had recovered £12,000, at an expense of £20,000 to the Treasury, the remainder was given up as a bad debt. The reason for that is plain. At that time the Irish tenants were paying a rent which most hon. Members believed, one year with another, to be more than they could afford. How could they pay the arrears of the tithes in addition? The essential feature of the Land Act as it passed both Houses of Parliament was that no tenant should pay more than a fair rent. How could they tack to that a tax which it was acknowledged no tenant could pay? The hope of the Government now is, that every tenant may start fair, at a fair rent from this time, and for this they are willing to strain a good many points, and submit themselves to a good many charges, and to some very trenchant and formidable arguments, which are, in all respects, not, perhaps, easy to answer. They may be doing violence to some old economical theories, just as they have been obliged in the case of the Prevention of Crime Bill to do more violence to other theories which they hold a good deal dearer. Powerful speeches have been made in great number upon this Bill, and will be made; but the truth is, that powerful speeches have been made in great plenty about Ireland, and what Ireland wants now is some quiet, silent, peaceful administration. I do not claim that this Bill is approved by every Irish individual Member; but the Irish Government believe that it pleases the Irish people and has their confidence. An hon. Member asked us the other night whether we intended to insist equally on both Bills? One, he said, does not please the whole Liberal Party, whereas the other, the Crime Prevention Bill, practically pleases the whole of it.

I did not see any such visible signs of exultation in regard to the Prevention of Crime Bill; but the Government hold this Bill—I will not say more necessary, or less necessary, or as necessary as the other—but they hold it to be absolutely necessary. There are times when the safety of the people is the supreme law, and the Government think that the time has come when it is necessary to press a measure which is repugnant to a good many people in Ireland, and of which all Irishmen are ashamed even if they think it necessary; at the same time, to draw back what Ireland welcomes is a policy to which the Government will never consent. The one measure will be an engine of fear to evil-doers, but the other will be a source of hope to an important part of the innocent population. Without both these measures, the Irish Executive cannot hope to tranquillize the country; but with them, at any rate, they will resolutely, if hardly cheerfully, undertake the task.

LORD GEORGE HAMILTON: I think I may say, for everybody who sits on this side of the House, that we heartily appreciate the manner in which the right hon. Gentleman the Chief Secretary to the Lord Lieutenant (Mr. Trevelyan), in a very anxious moment, has undertaken the duties of his Office. I should be very sorry indeed to place any obstacle in his way in the fulfilment of his arduous duties; but, at the same time, I must point out that the speech he has made to-night is somewhat wide of the Amendment under discussion, for that Amendment raises one point, and a very vital point—namely, that whatever advance is made should be made by way of loan rather than by way of gift. I have myself had an Amendment upon the Notice Paper in the same direction, which, however, I have withdrawn. My Amendment, perhaps, went a little further than that of my right hon. Friend's (Mr. Sclater-Booth) now under discussion. I quite agree with many hon. Gentlemen who have spoken, that an Arrears Bill is more or less a necessity in Ireland; but what many of us on this side, and certainly a considerable number on the other side, contend, is, that there is no necessity in any Arrears Bill to make the advance to the tenants a gift instead of a loan. This raises a consideration which is, perhaps, wider than any which has hitherto been discussed It seems that a good many hon. Gentlemen who have spoken do not exactly understand what is meant by this Bill. My hon. Friend the Member for Stroud (Mr. Brand) stated that he deemed the Bill to be necessary in order to enable the tenant to acquire certain rights, including the right of selling his interest in his holding. Every tenant in Ireland at this moment has a saleable interest in his holding. But that is not the object of this Bill. The object of this Bill is in one sense to stop evictions, but evictions can equally be stopped whether the money be advanced for the payment of rent by loan or by gift. The complaint of the tenants is this—that they have under the Land Act a right to submit their claims to have a fair rent fixed to the tribunal appointed by the Act of last Session; but a certain time, owing to the block of the Land Court, must elapse before their claims can come under the consideration of the Sub-Commissioners, and in the meantime, owing to the arrears of rent which they are unable to pay, they are liable to eviction, and consequently unable to obtain that adjustment which they seek. That is the real ground of complaint. It has nothing to do with the saleable right of the interest which the tenant has in his holding. Perhaps I go further than my hon. Friends. I admit that an Arrears Bill is necessary, and I say that whatever Arrears Bill is passed ought to be passed quickly; but when we are asked to make an advance of an unlimited sum which is to be charged on the Consolidated Fund by way of gift to those tenants in Ireland who are unable to pay their arrears of rent, there are certain questions we have a right to ask the Government, and unless these questions can be answered in the affirmative we have a right to alter the Bill. Now, this Bill is brought into the House, as far as we are able to understand, in order to comply with the first terms of a certain treaty of which we have heard a great deal. I am quite ready to admit that I will concede whatever objection I have to this Bill, if the Government can satisfy me upon two points—namely, that the evil from which Ireland is suffering equally affects all the tenants, and that all the tenants have honestly attempted to pay their obligations. As far as I am myself concerned, I have no objection to make a large gift to Ireland, if it can be conclusively shown that the agrarian war which has been carried on during the past two years is about to cease, and that there is to be peace between the Government and the Land League. But we have no such evidence. All we know is that this Bill is practically a truce between certain members of the Land League and the Government; but it is tolerably certain that that truce, so far from leading to permanent peace, will be utilized by many of those from whom it has been obtained to re-organize and strengthen their forces, in order that they may continue the war. If hon. Gentlemen have any doubt on that point, let me just read to them an extract from a recent speech of one of the Leaders. My hon. and learned Friend the Member for Chatham (Mr. Gorst) has already read an extract from the speech of Mr. Michael Davitt at Manchester, and perhaps the House will allow me to read another. Mr. Davitt is no braggart; he means what he says. The speech was not a rhetorical effusion. It was written and read, and at the end of it he said that he is the "sleepless and incessant opponent of English mis-government and Irish landlordism," and he goes on to say—

> "I tell the Prime Minister that though the Arrears Bill may lead his Government over a temporary difficulty, the very next season of scarcity or famine that unpropitious seasons will bring upon Ireland will re-open the Irish Land Question and call into play the same passions and provoke the same strife between conflicting influences that have brought the Land League into existence and forced the hands of an unwilling Legislature."

Therefore, the first fact this House has to face is this—that if we pass this Bill we are creating a precedent, and that as soon as bad times occur again in Ireland exactly the same demands will be made on the Consolidated Fund for the purpose of enabling tenants who are unable to pay their rents to liquidate their arrears. But there is another question, and one which I confess concerns me a great deal more than any novel precedent this Bill may establish. I think it is tolerably evident, not only from the speech of Mr. Davitt, but also clear from the language which has been used in this House by the hon. Member for Tipperary (Mr. Dillon)—who is equally fearless and equally honest in the expression of his opinions—that a fresh agitation will shortly be opened in Ireland, and that that agitation would probably be conducted by the same organization, although on different lines, as the agitation which has been carried on by the Land League. If that be the case, the question I want to put to the Government is this—In what condition would you find yourselves, to oppose any new agitation, if you pass this Bill, which is known to be a Land League Bill, and which is purposely framed to indemnify their adherents to the detriment of those who have loyally and honestly fulfilled their obligations? Do you believe that in the coming contest, which is perfectly certain, you will have given any encouragment to men to act loyally and honestly? If I were a Land Leaguer, I would support this Bill by every power at my disposal; but it is because I am not a Land Leaguer that I am bound to protest against the public funds being applied in such a manner as must tend to promote an Association which the Prime Minister, a short time back, pronounced to be propagating the principles of public plunder. I do not for a moment dispute that the Government are honest in their denunciation of certain acts of the Land League; but the complaint I make against them is this—that whenever they indulge in violent denunciation of that Land League and apply opprobrious terms to its Leaders and call on loyal men to support them in all parts of the Kingdom, they, somehow, afterwards, by some thoughtless or foolish acts, utterly frustrate the effect of their own denunciations, and positively advance the fortunes of the organization they have so strongly condemned. Take this very question of arrears. What has happened as regards arrears? Three separate proposals have been made by the Government during the past two years. The first proposal was the Compensation for Disturbance Bill, which practically embodied the proposals of a most prominent member of the Land League. I myself happened to be in Ireland during the whole of the autumn which followed that Session, and I say, most unhesitatingly, that I never met a man in the North of Ireland who did not express his opinion that the Government, by taking up that measure in the manner which they did, did more to advance the fortunes of the Land League than anything else. I know that certain Cabinet Ministers informed their audiences that it was the rejection by the House of Lords of that measure which added so much to the power of the hon. Member for the City of Cork (Mr. Parnell) and his Colleagues. They cannot labour under a more absolute delusion. It was not the rejection of that Bill by the House of Lords that assisted the Land League in Ireland, but the introduction of the measure by the Government. That Bill, although I admit it was brought in with the best possible intentions, made this most extraordinary proposal, that where the debtor was unable to fulfil his obligations to his creditor, he was, under certain conditions, to claim compensation from his creditor. The hon. Member for Dungarvan (Mr. O'Donnell), in a very able and, I am bound to say, logical letter, showed that that Bill, introduced by the Government, was the commencement of an agitation and an outcry which resulted in the "no rent" manifesto. And now the Government, for the second time, in dealing with this Arrears Bill, have taken up a measure that was introduced by four of the most prominent members of the Land League, which Bill was avowedly brought in for the purpose of saving the adherents of the Land League from the consequences of their own conduct in refusing to pay rent. Now, I ask anybody, putting all political and Party considerations on one side—[*Ironical cheers from the Ministerial Benches.*]—I believe the question we are discussing to-night raises a far larger issue. Those hon. Gentlemen who derisively cheered my last observation possibly did not hear the speeches which were made in the earlier part of the evening by a number of Irish Members who sit behind the Government. None of them went so far as to say that they would vote against the Bill, but it was pretty clear that the only reason they did not say they would do so was that they were afraid of embarrassing the Government. Every one of them, and none more than the hon. Member for the County of Cork (Mr. Shaw), pointed out the unquestionable danger of making a free gift to the tenants of Ireland, who have, during the past two or three years, declined, or been unable, to pay their rents, because they know perfectly well that it would be the greatest deterrent to those men who, in spite of intimidation, have honestly complied with their obligations and paid their rents, if they found that the only notice taken of them is that they are absolutely excluded from the benefit of the measure which compensates many of those who have intimidated them. I could not help being struck by an incident which occurred before we arrived at the discussion of this Bill. My hon. Friend the Member for Mid Surrey (Mr. Brodrick) asked the Prime Minister if he had any proposal to make to compensate those tenants who have been subjected to outrage, and even murdered, because they had paid their rents, and whose families are, in consequence, destitute? What was the reply of the Prime Minister? He said that this was a question which was to be relegated to the Irish Government; and, I understood him to say, that the Imperial Government would be guided by their opinion.

MR. GLADSTONE: No; I said it must be referred to the Irish Government.

LORD GEORGE HAMILTON: "It must be referred to the Irish Government." Quite so; but I understood him to say further, that by their opinion the Imperial Government would be more or less guided. I quite admit, and I make every allowance for, the difficulty of any one in the position of the Prime Minister having to answer a question of that kind, which, perhaps, may have been put to him without very long Notice; but what effect will it have upon the susceptible and quick-witted people of Ireland, when a question is asked of the Government as to what compensation will be made to the families of men who have loyally fulfilled their contracts and been murdered, and they are told that it is treated by the Government as a subordinate question which must be sent over to Ireland in order to see what the Irish Government may have to say to it, while, at the same time, the proposal to compensate tenants who have possibly dishonestly repudiated the payment of rent for two or three years is pushed forward by the whole strength of the Government. I regret that the Prime Minister was not able to give a more satisfactory answer to a question of such extreme importance. It seems to me, therefore, that, simple as at first it may seem, the issue as to whether this grant should be by loan or by gift raises most important considerations. At the same time, I should be very sorry to ignore in any way the great difficulties which surround the question. Last year the proposal of the Government was that money might be advanced to the tenants on certain terms. I then pointed out to the Government that they had excepted from the clause the necessity of compelling the tenant to prove his inability to pay; and the reply made, more than once by the Government, was that it would not be possible for the tenant to prove his inability. Now, curiously enough, although a year has elapsed since then, in this Bill the tenant is to prove his inability, but it is a very curious kind of inability. All he has to show is that he is unable to discharge the arrears—it may be through drunkenness, it may be through dishonesty, it may be entirely his own fault—but all he has to show is that he has spent all the money which he otherwise should have spent in payment of rent, and then he is to get a free gift from the State. It seems to me to be a most extraordinary proposal. Now, Sir, what I object to concerning the policy of Her Majesty's Government in Ireland is, that they scarcely ever say the same thing on the same question twice. I took the trouble the other day to look back to the arguments which were adduced last year on behalf of the Arrears Bill, and certainly they are not such arguments as would be adduced this year. Last year my right hon. Friend the Member for North Devon (Sir Stafford Northcote) pointed out to the Prime Minister the constant concessions which had been made to Ireland without much result; and the Prime Minister replied somewhat indignantly, and lectured us very much for our ignorance of certain facts. Now, these facts were remarkable. He asked if the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) was aware that there was no country in Europe which during the last 30 years had more advanced in wealth and prosperity than Ireland? That is not exactly the kind of argument which suggests itself in reference to an Arrears Bill. The right hon. Gentleman then went on to say that, with the exception of one class of offences, there was no country in Europe in which so great an advance had been made with respect to obedience to the law. The Prime Minister said, further, that in Ireland, where jurors could not be relied upon to convict upon the clearest evidence, the number of convictions for criminal charges were larger in proportion than the convictions in this country. He then proceeded to take us severely to task for our ignorance of the history of the country, and he urged that we were unable to understand the condition of Ireland. This year, again, we find a statement made on behalf of this Bill which is absolutely antagonistic to the statement so confidently made last year. The main argument in support of this Bill is, that it is in accord with Irish opinion. The Prime Minister relied very much on that fact some time back, when a discussion took place upon the Bill of the hon. Member for New Ross (Mr. Redmond). Now, what is meant by Irish opinion? Last year, when hon. Gentlemen who belonged to the Land League were in prominent collision with the Government, the right hon. Gentleman the Prime Minister reminded us that the majority of those who opposed him could not arrogate to themselves that they represented Ireland. But now, has a single Conservative Member been consulted in reference to this Arrears Bill? And, judging from the speeches delivered from the other side of the House, I should say that the opinion of no Irish Liberal Member has been taken. If the opinion of any Irish Member on the other side of the House has been taken, it seems to me that it has only been taken to be rejected. The reason is tolerably obvious. In the letter written by the hon. Member for the City of Cork (Mr. Parnell) from Kilmainham, he imposes this preliminary obligation upon the Government—

> "The proposal you have described to me, as suggested in some quarters, of making a loan, over however many years the payment might be spread, should be absolutely rejected for reasons which I have already explained to you. If the Arrears Question be settled upon the lines indicated by us, I have every confidence—a confidence shared by my Colleagues—that the exertions which we should be able to make strenuously and unremittingly, would be effective in stopping outrages and intimidation of all kinds."

And this was part of the accomplishment of the programme, which enabled the hon. Member for the City of Cork (Mr.

Parnell) and his Friends cordially to co-operate with the Liberal Party. What is the result? I have here a paper published in Ireland which has a large circulation. It is called *United Ireland.* What does that paper say about the Arrears Bill? Does it give the Government any credit for the Bill? Of course not. To whom do they give the credit for the Bill? The writer says—

> "Mr. Gladstone is following Mr. Parnell's advice about obliterating arrears, and time will vindicate his wisdom. He is lagging and stammering over the rest of Mr. Parnell's plan for giving vitality to the Land Act."

So that now, because the Government wish to conciliate a certain number of hon. Gentlemen from Ireland, whom they denounced in a violent manner last year, they absolutely repudiate the advice of their own Friends, and bring in a Bill which they mainly recommend to the House and the country because they say it is in accordance with that Irish opinion which only a short time back they associated with objects of the most improper kind. I want the House to consider what must be the effect of this upon the loyal inhabitants of Ireland. The right hon. Gentleman the Prime Minister insisted that the Bill should be in accordance with Irish opinion, and he arraigned the opinion of certain hon. Gentlemen sitting below the Gangway. The memory of the right hon. Gentleman is singularly retentive; and if he will only study the speech which he delivered on the second reading of the Bill of the hon. Member for New Ross (Mr. Redmond), he will, I think, see that one of the conditions which he then laid down for the Bill was that it was essential it should be in accordance with Irish opinion.

Mr. GLADSTONE: Of all sections. What I said was, that it was most desirable it should be in accordance with Irish opinion of all sections.

Lord GEORGE HAMILTON: We all agree that if the Government could make a proposal in accordance with Irish opinion of all sections, it would be most desirable; but, unfortunately, the opinion of all those who stuck to you in the crisis through which you have been passing, and who have, in consequence, been subjected to much obloquy, intimidation, and even outrage, you have now scattered to the four winds for the purpose of confirming the arrangement you have made with hon. Gentlemen whom you had imprisoned on the charge of intimidation and treason. The result of so throwing over your Friends can have but one effect, and that is a pernicious effect on Ireland. And now, Sir, let me refer for a moment to figures. Last year it was estimated that the amount which might be gained would be from £500,000 to £1,000,000 on the Bill of last year. This year it is estimated to be about £2,000,000, and I wish to put a question to the Government on that point. Does this increase from £1,000,000, which was the maximum last year, to £2,000,000 this year, arise because you are about to give more favourable conditions than you did last year, or because the arrears have grown by £1,000,000 since last year? That, I think, is a vital question. Last year there was not a bad harvest in Ireland. The "no rent" manifesto was issued about October last, and therefore if the arrears have grown by £1,000,000 between the present date and last year, it is tolerably certain that it has not grown in consequence of bad weather and bad crops, but in consequence of the obedience which was shown to the "no rent" manifesto issued on behalf of the Land League. Now, Sir, what I am afraid of—and I may as well frankly state my fear—is this. I am much afraid that in a few months you will have an agitation in Ireland for the repeal of the Union. Supposing such an agitation is started, have you not placed in the hands of those who would conduct that agitation an almost irresistible argument which you could offer to the minds of its audiences, particularly in the North of Ireland, if they are able to show that the result of their agitation hitherto has been that all those who oppose them have been intimidated, that certain of them have lost their lives, have had their flocks mutilated, their farm buildings burned, and that those who refused to pay rent, and who were possibly the very persons who were engaged in these nefarious practices of molesting their neighbours, came off scot-free, and are to be compensated at the expense of the State? They will be in a position to offer arguments which, I am afraid, will be almost irresistible to the audiences they may have to address. So far, I am unable to follow the debate; and the speech of the Prime Minister seems to me to be no argument whatever in favour of making this grant a gift; because, if any argument could possibly be offered in favour of any proposal on the face of the earth, the Prime Minister is the person to offer it. What was the assertion—I cannot call it an argument—he made? He insisted—and I think he properly insisted—in the way of argument, that if the State now endeavours to assist the tenants in settling their arrears, that settlement should be compulsory; but he seems to think you can only combine compulsion with a gift. I fail altogether to follow that contention. Last year he pointed out that the Arrears Clause had failed. It obviously has failed; but it has failed on account of three conditions, which no longer exist, or which, if they do, can be easily put aside. The first was that the clause was optional. The House now declares it compulsory. The second was that the rate of interest at which the loan was to be made to the tenant was a high rate of interest—I believe 3¼ per cent—and repayable in 15 years. It is within the power of the House to substitute a much lower rate of interest. The third condition, I believe, which caused the failure of the clause in the Bill of last year, was the issue of the "no rent" manifesto, which unsettled the tenants' minds, because it is perfectly clear that if they were called on in all parts of the country to refuse to pay rents, they were not likely to make arrangements for the settlement of arrears. All these conditions are absent from the present Bill; and, therefore, it seems to me that we are making the grant a gift, without in any way affecting the efficacy of the measure which contained the principle of making the grant a loan. Let me point out one of the obvious advantages of making the grant a loan rather than a gift. Suppose you were to make a loan at a low rate of interest, say 1½ per cent; no doubt, in one sense, it would be a gift. That is perfectly true—[*Ironical cheers from the Ministerial Benches*]—but, wait a minute. It would be a gift; but, assuming, as I suppose would be the case, that the Government raised the money at 3 per cent, instead of making a present of £2,000,000 to the tenants in Ireland, they would diminish the interest by £30,000 a-year, and be able to deduct that from their expenditure of £60,000. If they advanced money at 1½ per cent, they would be able to raise £4,000,000 by loan, and yet charge no more to the Consolidated Fund than by giving £2,000,000; and they would be able—which I think is most essential to the settlement of this Arrears Question—to deal with the arrears at a higher level than that fixed in this Bill—namely, a £30 valuation. I have been reminded that if the money were advanced at that low rate of interest, you would be making, to a certain extent, a gift to the tenant; but anybody who has had anything to do with tenants in Ireland is aware that there is nothing they so much detest as an increase of rent, no matter from what cause it arises. And if those who followed the Land League and assisted in carrying out the "no rent" manifesto found that the result of refusing to pay rent was that they had their rent raised for the next 15 years by means of the loan advanced to them, it would be a good reminder to them during the next 15 years not to have anything to do with the same practices. Sir, I think I have stated what has been to me the almost conclusive objection to the principle on which this Bill is framed—namely, that of making a free gift to the tenants of Ireland for the satisfaction of their arrears of rent; but, perhaps, before I sit down, the House will allow me to say a few words upon a question which has been often put by hon. Members who represent English constituencies. It is often asked why the Irish Land Question is so constantly cropping up, and why we cannot get rid of it? I believe I can give an answer to that question in a simple sentence. The Agrarian Question in Ireland is founded on a difficulty which the Government will not attempt to touch. All they will do is to try to remove the grievances which arise from it. The difficulty is the want of employment and excessive competition for the occupation of land; and the Bill of last year did not decrease competition, but decreased the value of the thing competed for. It has been said by the Minister who dealt with this subject that you must get rid of the principles of political economy—banish them to the planet Saturn, where, by the way, they have since remained. But I want to put this question. Do hon. Members believe that in dealing with, perhaps, the most difficult of all economical problems—the system of land tenure—they can so banish the principles of political economy, and not again have to face difficulties which invariably occur where economic principle is overthrown? If you desire to maintain an industry which, without protection, cannot exist, everyone knows that the result is that the nation is called upon to contribute to that industry. And this gift of £2,000,000 to the tenants of Ireland is the first sum which the nation is called upon to pay in order to protect and bolster up the obsolete system of agriculture in Ireland, which, without this bounty, cannot exist. I believe it was stated that there were some 200,000 tenants who it was thought would avail themselves of this Bill; but it has also been calculated by some of the most eminent authorities—by Professor Baldwin and others who visited Ireland—that there are at least 100,000 families who, even if they had their land rent free, would not be maintained by it. I hear, too, that some of the Sub-Commissioners, men whose political opinions are exactly the reverse of those which I hold, and who were appointed to perform certain functions in the West of Ireland, are most painfully impressed with the miserable condition of the population in that part of the country. Last year two proposals were made with reference to that struggling population which were very worthy of the consideration of this House; and the first of these emanated from hon. Gentlemen on this side of the House below the Gangway, who suggested that facilities might be afforded to that population to migrate to those parts of Ireland where the population was less dense. Now, it must be remembered that the Land Tenure Clauses in the Bill of last year put an insuperable obstacle in the way of that plan; for every occupying tenant has a property in his holding, no matter how large, which you cannot force him to sell. The second proposal was that of emigration. I can sympathize with hon. Gentlemen from Ireland who, recollecting the terrible scenes which occurred during the Famine of 1848, entertain a strenuous objection to a system of emigration, and can understand their sympathy with the feelings which the poor cottiers have for their homes. Nevertheless, as long as these people remain where they are, it is to my mind perfectly certain that this relief which you are giving them is but a transient relief; and, as Mr. Davitt says, when bad seasons occur you will have a renewal of agitation. If I have spoken warmly in the course of the observations which I have felt it my duty to make upon this question, it is because I am certainly impressed with the great danger of passing this Bill in the form which the Government propose. I should be glad if the Government could meet what I believe is the wish of the great majority of the House, by converting this grant into a loan. In that case they would, in my opinion, have the cordial co-operation of hon. Members on this side. I believe that we are on the eve of a new struggle in Ireland, more serious than those which have preceded it; and I confess I cannot bring myself to assent to a Bill the result of which, in its present shape, must be to invite a large number of persons who have hitherto been more honest to swell the ranks of those who are endeavouring, in the impressive words of the Prime Minister, to march through rapine to the disintegration of the Empire.

Colonel NOLAN said, that the noble Lord who had just sat down (Lord George Hamilton) had spoken several times in the course of his speech of the economical view which ought to be taken of the Government proposal, and he urged that assistance given to the Irish tenants should be in the shape of a loan and not of a gift. In doing so, the noble Lord had touched the very heart of the difficulty, and had shown that, in the present case, the proposal to proceed by way of loan was impracticable. Because it must be remembered that they were dealing with the poorest part of the Irish population—the only part that was allowed to come under the operation of the Bill—from whom, if the proposal were adopted, the loan would have to be recovered by annual instalments of, say, 10*s.* or 15*s.* from each tenant. Now, as the number of these poor people was set down at 200,000, he asked by what machinery this collection could be effected? The thing was absolutely impossible except at a cost greater than the amount of the money advanced. He might be told that other loans had been made, but to that he replied that no loans of the same kind had been made; and, moreover, in the case of former loans, the money had been advanced and collected through the Poor Law Guardians. If the loan in the present instance were made compulsory, it would have to be collected from the very poorest of the people; and this, for the reasons he had stated, would be found to be a very inconvenient task. But there was another observation of the noble Lord to which he would refer. The noble Lord actually said, in the course of his speech, that this money must be collected from these people during a period of 15 years as a kind of punishment, and by way of giving them a lesson for the future. All he would say with regard to that was that it would be a very strange way of carrying on the policy of conciliation towards Ireland to adopt such a method. He regretted that the hon. and learned Member for Chatham (Mr. Gorst) was not in his place, because he wished to point out that the present Bill did not touch anything beyond the 1st of November, 1881; and that, therefore, the very ingenious argument he had put forward on the subject of the "hanging gale" fell to the ground. Again, all the Members who had spoken in the course of the debate of that evening had alluded to the sum to be paid on account of arrears as £2,000,000, which sum they said was to come out of the public purse. But that was entirely a mistake. The bulk of the money would come from a purely Irish source, and no more than £500,000 would be paid out of the National Exchequer. Of course, he appreciated what had been done by the Prime Minister; but he was bound to point out that in ordinary times Ireland paid £3,000,000 or £4,000,000 to the National Exchequer more than her fair share of the total expenses of the country; and it was no great thing that perhaps in the course of eight or nine years £500,000 of this was returned. If it was said that the British taxpayer was paying this money out of his own pocket, he thought that it was only fair that a balance should be struck between the two countries, and this would show that Great Britain got the benefit of a large amount of Irish money under the present system. He was anxious to say a few words with respect to his own constituency, which had so often been referred to. The statements as to a portion of that constituency—Connemara—were perfectly true, and he was bound to say that evictions in very large numbers had taken place, and were going on at the present time. He did not blame the landlords; but he would mention that one of the great proprietors there, who owned some 200,000 acres, having been asked to remit some of the arrears, refused to do so, unless the tenants contracted themselves out of the Land Act, and agreed to pay the present rents for the next 15 years. Nearly all the tenants were liable to eviction for three or four years' rent. Another point was that heavy law costs had been incurred by the tenants in some portions of the constituency; and he believed that, if the Prime Minister did not make some provision for these, the poor people in question would be very little benefited by the proposed legislation. As a great deal had been said on the subject of emigration, he would point out that the very best system of emigration already existed in Ireland. There was in almost every parish an Association, by means of which persons could get over to America; and the arrangements were such that on their arrival the emigrants found friends waiting to receive them, and, in many cases, a home ready for them on the other side of the Atlantic. He believed the Government were right in their endeavour to do something to wipe out these arrears in Ireland.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Baron Henry De Worms.*)

Mr. GLADSTONE: As it is possible, judging from the speeches delivered in the course of this debate, and the manner in which it has been deemed necessary by some hon. Members on a question of great importance to enter into extraneous matter, that this debate may extend over many weeks, I hope the House will not consent to the Motion for Adjournment. We made the most urgent appeals a few nights ago to Gentlemen in every quarter of the House entreating them most earnestly to forego much that they desired to say on a far larger measure than this—the Prevention of Crime Bill. Looking at this measure, I hope we may be allowed to do what I think we are in a position to do—namely, to bring the debate on this Bill to a close. With regard to the Motion for Adjournment, we shall feel it our duty to take the sense of the House upon it.

SIR STAFFORD NORTHCOTE: Sir, I think the right hon. Gentleman the Prime Minister has been hardly fair to the House in speaking as he has of the introduction of extraneous matter into this debate, and the possibility of its extending over several weeks. I will not say that everything introduced into the discussion has been strictly relevant; but I must say that I never listened to any debate on a matter of such importance in which the great bulk of the speaking kept so closely to the question. However that may be, some of the speeches of hon. Members behind the Government Benches raised points which require explanations, and, although these explanations have not been given, I think we are entitled to receive them before this debate is closed. Then, Sir, I would point out that this measure, which is represented to be of the greatest importance and urgency, was only introduced on the 15th of this month, while the Bill itself was not in the hands of hon. Members until late on Friday evening, and was not generally circulated until Saturday morning. No opportunity, or only an imperfect opportunity, is given to consider and study proposals which are admitted by the Prime Minister himself to be of an exceptional and extraordinary character, and only justified by the urgency of the occasion. That, upon the face of it, seems to render it desirable that we should have some explanation of the measure which has been so introduced; but have we had it? A speech was made by the Prime Minister, in introducing the Bill, in which he told us very little indeed, except that it was a case in which we must set aside ordinary considerations in order to make a great effort. Then we had a speech from the Chief Secretary to the Lord Lieutenant—a very excellent speech in its way, but which did not grapple with or meet the questions which have been raised; and beyond these two speeches we have not had a single speech from any part of the House in support of the main principle of the Bill. Hon. Members below the Gangway on both sides of the House have been silent. Gentlemen who sit behind the Government—and especially those Irish Members, such as the hon. Member for the County of Cork (Mr. Shaw) and the hon. Member for Tyrone (Mr. T. A. Dickson), and other hon. Gentlemen whom I might mention, and who are high authorities on the matter—have told us that they do not even profess to approve of the distinctive principle of this Bill—namely, the giving of this relief by way of gift instead of by way of loan. They tell us, further, they have argued that the Government should do what they could to get the other principle admitted. But then they have also gone on to say—even the late Chief Secretary, though he spoke, on the whole, in favour of this Bill, spoke not without some hesitation of this particular point—even he brought forward the argument, which has been taken up by those Gentlemen to whom I have referred and by others—namely, that you could not discuss this question with any advantage, because the Government have said that this is the principle they mean to adopt; and the Government having so laid it down, the House has no alternative. But, although that may probably be convenient for the Government, it is a matter of serious import, and, at all events, gives reason to ask whether, if we are ultimately to obey the decision of the Government, we are not, at all events, entitled to discuss the question? There have been expressions used and statements made by the Prime Minister this evening which strengthen, to my mind, very much the reason for criticizing very carefully the course which the Government proposes to adopt. What did the Prime Minister tell us? He said, in point of fact, this was not a new departure, because it was already involved in the decision which the House arrived at last year in the 59th clause of the Land Act, in which certain provisions were made in regard to loans for the purpose of paying arrears. We had no idea at the time that that clause was so passed; we had no idea that it included this principle, and yet we find it sprung upon us that this principle was included——

MR. GLADSTONE: I never said it was included.

SIR STAFFORD NORTHCOTE: I am not sure that I did not take it down; but it was something to the effect that we had taken the first step. Does the right hon. Gentleman mean to say that he did not, in fact, use this argument that we were not now taking this step for the first time, but that it was in sequence of last year that the new ground had been broken? This is all the more important, because it is not the first time in these Irish land debates that the same sort of thing has happened. What happened last year when the Government introduced their Bill which has now become the Land Act? They stated that there was contained in the Land Act of 1870—though we were not aware of it—the creation of a certain right in the tenant, which he did not previously possess, and which those who passed the Act were not aware was then given him. If there are these things possible, and we are warned of them, surely we are entitled to look carefully into them and to expect some explanation with regard to that which may be contained without our knowing it in the Bill which we are to pass simply on the ground that it is presented by the Government. There have been questions put to-night of vital importance to the Bill which have not been answered or attempted to be answered. I will mention one which goes to the root of the matter. We are told that by this Bill there are to be advances made to tenants who cannot pay their rents. What is meant by tenants who cannot pay? Do you mean that a tenant who has a tenant right of a certain value is to dispossess himself of that right in order to bring himself into a position in which he cannot pay? Or, in other words, are you reckoning that property which you created last year among his assets; and, if so, are you to say that you leave him in possession of this property, or are you to tell him that he must first dispossess himself of his tenant right so that he cannot pay, and if he cannot pay then put him in the category of a man who cannot pay? That has never been answered; but if he is to be required to part with his tenant right before the advance is made how will that prevent evictions? It will of itself be a most formidable instrument of evictions. Questions on this point have been put to the Government, but they have not been answered. On the broad point which is at issue—namely, whether you are to assist by loan or by gift, look at the great difference between the case of a man if you treat him by loan and if you treat him by gift. If you treat him by gift you compel him to sell his tenant right before you make him an advance; and if you treat him by loan he has a security which he can offer, and which you do not take away from him, but on which you can make an advance. That would be far better for the tenant and far better for the State. All that I wish to raise now is that the question is one that demands consideration. It is utterly impossible that we can discuss this question fully in a single evening. There are many Gentlemen on this side of the House who have a right to be heard, but who have not had an opportunity. I venture to say that no speeches have been made with a view to wasting time, but that all the speeches have been of a practical character; and I think we have a right to claim from the Government that we should have another evening for the continuation of this discussion.

Mr. HEALY said, he should like to ask the Government, before the debate was adjourned, whether they were going to resist the Motion for Adjournment, because his experience was that, whenever such a Motion was made after half-past 12 o'clock, hon. Members had always gone home to bed. Therefore, although he should have no objection in supporting the Government if he knew that his vote would not be thrown away, he had a strong objection to voting with the Government if Members were simply to have the trouble of walking through the Lobbies for nothing; and he should like to know whether the Government were going to resist this Motion for Adjournment firmly? Just as little time had been given to the discussion of this Bill as to the discussion of the Coercion Bill, which was introduced on a Thursday night at 9 o'clock, and it was read the first time after a three hours' debate, and on the second reading, although it was true they had a Morning Sitting, everybody knew how little time there was in a Morning Sitting; but really a much longer time had been given to the consideration of this Bill. They, in the Irish quarter of the House, knew what it was to make Motions for Adjournment, and to bring forward claims as to the importance of measures before the House; but, whenever a Coercion Bill was before the House, the Tory Party said their arguments were worth nothing at all; but because the right hon. Baronet the Member for North Devon (Sir Stafford Northcote) had commanded legions, he divided his strength into relays and voted them down. What was sauce for the goose was sauce for the gander; and if the Government were going to be firm on this matter they should at once divide their Party into relays and insist on the matter being carried through; but if it was simply an academic statement that the Government would take the sense of the House, and, after the Irish Members had supported them, they gave way to the Conservatives, he should not rejoice in any vote he might have given.

Question put.

The House *divided*:—Ayes 140; Noes 290: Majority 150.—(Div. List, No. 92.)

Original Question again proposed.

MR CHAPLIN begged leave to move the adjournment of the House. He might, perhaps, observe, in doing so, that whatever might be the intention of Her Majesty's Government, he, for one, as a humble Member of the Tory Party —and he believed he was expressing the opinions of many others—certainly intended to offer what the hon. Member for Wexford (Mr. Healy) described as a "firm opposition" to the further progress of this Bill to-night. He should hope, however, that it would be unnecessary to offer what the hon. Gentleman called a "bellicose opposition," because he could not help thinking the right hon. Gentleman the Prime Minister would reconsider his decision. He must say that within his experience it was certainly absolutely without precedent that the Prime Minister, on the first night of a debate on a Bill of this importance, should absolutely close the mouths of the Leaders of the Opposition, who had signified their intention and their desire to take part in this debate. He did not know, he was sure, what would have happened if the right hon. Gentleman's Resolution with regard to the *clôture* had been passed; but he was bound to say that the Prime Minister was unreasonable in the attitude he was assuming, seeing that the *clôture* had not been adopted. ["Question!"] Surely this was the question — whether the mouths of the Leaders of the Opposition, who desired to take part in the debate, were to be closed. They had had only a few minutes ago an able, admirable, and effective speech from a noble Lord who sat on the Front Opposition Bench (Lord George Hamilton). Did any hon. Member disagree with him in that statement, because, if he did, he was surprised he had not risen to reply to that speech. No single Member of the Government had attempted to offer a word in reply; therefore, it was fair to assume that they found it difficult to do so. Having regard to what appeared a most unusual proceeding on the part of the Government in closing an important debate in this manner, he, by way of protest against the further progress of the Bill, would move the adjournment of the House.

MR. R. N. FOWLER said, he rose to second the Motion. One point had been agreed to—namely, that this measure was one of first-class importance. [*Laughter.*] Hon. Members laughed at that. Was he to believe that they did not consider it a Bill of first-class importance—that they looked upon it as a measure of such second-class importance that one night's debate upon it was sufficient? If they were of that opinion they were quite right in the votes they had given. He thought he had understood from the Prime Minister that this was a Bill of first-class importance; and, if it was, it certainly seemed to him perfectly unprecedented—as had been remarked by his hon. Friend the Member for Mid Lincolnshire (Mr. Chaplin) —that there should only be one night's debate upon it. To the best of his recollection, Bills of this importance had always been debated two, three, or four nights; and it certainly appeared to him not to be doing justice to the subject to smuggle it through in one night. As his hon. Friend had remarked, the debate on that (the Opposition) side had closed with the able speech of the noble Lord the Member for Middlesex. He (Mr. Fowler) had observed that the Secretary of State for War (Mr. Childers) was taking notes; and, no doubt, if the Government had expected that the debate was about to close, that right hon. Gentleman would have risen to reply. He did not, however, and that certainly showed that Her Majesty's Government did not think the debate would end tonight. He hardly thought they would allow it to close with the speech of the hon. and gallant Gentleman — who, though, no doubt, a distinguished and much respected Member, had not a seat in the Government—the Member for Galway (Colonel Nolan). Under these circumstances, he begged to second the Motion of his hon. Friend that the House do now adjourn.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Chaplin.*)

Mr. WHITBREAD said, he wished to put before hon. Gentlemen opposite one or two considerations which, he feared, in the heat of a Party conflict, they might overlook. Now, he did not deny the truth of the statement of the right hon. Gentleman the Leader of the Opposition that a great deal more might be said about this Bill; but that statement would be equally true two or three or four nights hence. They knew what an almost endless length of talk was possible on a Bill of great importance. He did not understand that the Government desired to close the mouths of hon. Gentlemen opposite or of the Leader of the Opposition. They were perfectly ready to go on with the debate, and to hear such statements as the House might wish to make; but what they desired was that the House—the great majority of the House—should not be baulked of their intention, which was, if possible, to come to a decision on the second reading of this measure to-night. It was ridiculous—and he did not use the word offensively to right hon. Gentlemen opposite—to describe this as trying the *clôture* to put an end to the debate. How many opportunities would there be for discussing the Bill? If this was a Resolution which had to be decided by a single vote, the argument as to the *clôture* might have had some force; but his hon. Friend (Mr. Chaplin) knew quite well that there would be opportunity after opportunity for discussion on every stage of the Bill; and he, therefore, maintained that it was idle to say that this was closing the mouth of Parliament and attempting to apply the *clôture*. But he would suggest that they had got that very desirable two-thirds majority—the majority by which so much store was set by hon. Gentlemen opposite. The House had shown by an overwhelming majority—[Mr. Warton: No; not overwhelming.] He did not know what the hon. and learned Member for Bridport would call an overwhelming majority; but it seemed to him that where the majority was greater than the number actually polled by the Opposition he was tolerably correct in describing it as overwhelming. If, then, it was the desire of an overwhelming majority to continue the debate and come to a decision, he did appeal to hon. Gentlemen opposite not to set themselves against that desire. Of course, what had been said by the hon. Gentleman who seconded the Motion was quite true. This was a Bill of first-class importance, there could be no doubt; and, in the hon. Member's experience, it had been usual to give more than one night's debate to such a measure. Well; but were they in ordinary times? Could the House afford—could hon. Gentlemen opposite afford—to set the example of opposing the will of such a large majority in an attempt to pass an Act which they, at all events, believed would be for the pacification of Ireland?

Mr. J. LOWTHER said, he did not wish for a moment to interfere with the satisfaction which the hon. Member for Bedford (Mr. Whitbread) appeared to feel at the result of a certain diplomatic arrangement which had been recently under the consideration of the House. But, at the same time, he must own that he thought his hon. Friend the Member for Mid Lincolnshire (Mr. Chaplin) was by no means out of his right in pointing out the great danger which the House would incur upon occasions like the present one under the Resolutions which the right hon. Gentleman the Prime Minister had submitted to their consideration with regard to Procedure. Without entering into that matter, he would beg to inform the right hon. Gentleman that if he had been in the House during the earlier part of the evening he would have seen six or eight Members upon his own side of the House rising at the same time to catch Mr. Speaker's eye; and he would have found that, so far from there being any determination on that (the Opposition) side of the House to prolong debate and continue discussion beyond its legitimate extent—he could, from his own knowledge, speak for his Friends sitting near him—many who might have reasonably been expected to take part in the discussion deferred their observations to a future occasion. He himself had intended to trespass on the indulgence of the House when an opportunity was offered him; and, so far from having exhausted this important discussion, they had only entered on the threshold of it. It was said that they had been discussing extraneous matters; but if the Prime Minister would refer to some of the topics which had been alluded to as extraneous matters, he would see that not only were they not extraneous, but that they were really the kernel of the whole Bill.

MR. GLADSTONE: I called some of the subjects referred to extraneous matters, as the hon. and learned Member for Chatham (Mr. Gorst) called them so himself. I was not desirous that any reply should be given to the appeal made to us by the hon. Member for Wexford (Mr. Healy) before the last division; because I thought that on this occasion it was very difficult to judge what course ought to be taken with regard to the Motion for Adjournment, until there had been some experience afforded us by a division of what was the real sense of the House. For that reason I thought it well to wait. I cherished the hope that if the decision of the House was of a very conclusive character, by a very large majority expressing the conviction on the part of by far the greater portion of the House, those who have been in the Government and those who may be in the Government again, whatever might be their own feelings upon the propriety of the decision, would not set the example of placing themselves in opposition to such an overwhelming majority. I still cherish that hope, notwithstanding the speech just delivered. The right hon. Gentleman (Mr. Lowther) spoke of some diplomatic arrangement. I am glad to see that the right hon. Gentleman is contented in this House with a term so courteous, and I hope an opportunity will be given us to call him to account for language he has used elsewhere, and to thank him for the great improvement which has taken place in his phraseology on his resuming his place in the House.

MR. J. LOWTHER: I am quite ready, on the resumption of the debate, to repeat anything I have said elsewhere.

MR. GLADSTONE: I dare say the right hon. Gentleman is ready enough. If I can find an opportunity, when I can do it with regularity and without leading the House into extraneous matters, I shall be glad to know what are the views of the right hon. Gentleman as to the limits and licence of language. I shall be glad of such an opportunity to refer to the "diplomatic arrangement" alluded to, and to compliment the right hon. Gentleman for the alteration which has taken place in his phraseology. But the matter now before us is of a different character. The right hon. Gentleman the Member for North Devon (Sir Stafford Northcote), in one of the longest speeches I ever heard delivered on a Question of Adjournment, although not in the least too long as a speech on the Bill, has stated important arguments from his point of view, showing that there are important matters which will have to be discussed in Committee on the Bill. For example, he says he wants to know whether the tenant's interest in his holding is to be regarded as an asset in determining whether or not he is able to pay? If ever I heard a question for Committee it is that. That, however, is not the question before us. The subject on which I wish to watch the course of the right hon. Gentleman and his Friends is whether, when the majority of the House that has just expressed its opinion has given that opinion not less deliberately than the right hon. Gentleman himself, he will give way to that opinion, or whether he still insists that the opinion of the minority shall prevail over that of the majority; because that is the question which lies at the very root of all our proceedings. It was because of the unwillingness of the minority to give way to the majority that the necessity has arisen for introducing Questions on Procedure. This question is of the greatest importance, and I do not hesitate to say that after the decision just given I shall again take the sense of the House upon it.

SIR STAFFORD NORTHCOTE: I hope I am duly sensible of the duties of minorities in cases where divisions have been taken fairly expressing the deliberate sense of the House on important proposals; but I must, at the same time, say that the minority of this House on this occasion—and it is a very considerable minority—feel a sense of duty in connection with this important question, not only to the House, but to the country. When we are of opinion, as we are, that the matter has not been fully discussed, that the arguments which have been brought forward on our side have not been answered, that our arguments have not met with full discussion and reply, I think we are bound to adhere to our appeal. I regret very much that we should be obliged to take this course. ["Oh, oh!"] Yes; seriously, I regret to put the House to the trouble of another division, or other divisions; but I think we are bound on this matter to secure that there shall be full discussion, and all the more so because the subject is of such importance.

MR. W. E. FORSTER: Will the House allow me to make one remark? I observe that we are getting somewhat into the Party question of the rights of majorities and minorities. I would venture to appeal to all the Members of the House. This is a matter of most serious moment for the actual administration of the Government of Ireland. I venture to repeat what I said before—that it is the necessary accompaniment of this Bill, and could not be avoided, that it makes it exceedingly doubtful as to whether any arrears will be paid until it is settled, and makes it much less likely that rent will be paid. The House has, I think, by a large majority, shown itself in favour of the principle of this Bill. I can well understand that hon. and right hon. Gentlemen can see reasons against it; but if they would consult what I believe to be the predominant feeling in Ireland they would find it is the earnest desire of that country that this matter should be settled without delay. If we do not come to a conclusion to-night we may not be able to come to a conclusion for many days, as the Prevention of Crime Bill must take precedence of this. If we do not come to a conclusion to-night it will be postponing the matter for several days. I believe it will be the feeling of a large majority that the Prevention of Crime Bill should have precedence, and I have no doubt it will take precedence; and if no decision is come to to-night the state of things in Ireland will be this. It will be thought doubtful what you are going to do as to the Arrears Question, and you will have the whole question of the collection of rent in a most dangerous state of uncertainty for weeks to come.

SIR WILLIAM HART DYKE said, he did not wish to stand there in any sense in the light of an Obstructionist; but he did feel very strongly as to the position in which they found themselves that evening. He had had something to do with the conduct of Business in that House for many years, and he could not call to mind a precedent for the situation in which they now found themselves. There was no one in the House more deeply anxious than he was to see a better state of things in Ireland, yet he stood there as the Representative of a large and important constituency; and what were the facts? On Saturday last he had a Bill placed in his hands, the second reading of which they were asked to assent to this evening. The Bill was one of the very greatest importance. It was a measure to tax his constituents in order to pay the rents of the Irish tenants; and as yet he had not had the faintest opportunity of discovering what the feelings of his constituents were on such an important matter. During the 17 years he had had the honour to sit in that Assembly he never remembered such a proposal as this—he never remembered the Government asking the House, after one night's discussion, to assent on the Monday to the second reading of a Bill which was sent into the House on the Saturday before. For that reason alone he should give his support to the proposal of his hon. Friend (Mr. Chaplin).

LORD CLAUD HAMILTON said, he rose to refer to a remark which had fallen from the right hon. Member for Bradford (Mr. W. E. Forster). The right hon. Gentleman had said that public feeling in Ireland was entirely in favour of this question being speedily settled. There he (Lord Claud Hamilton) cordially agreed with the right hon. Member. But the right hon. Gentleman had not said on what principle the majority of the respectability of Ireland —["Oh!" *and laughter*]—wished that settlement to take place. English Members who knew nothing whatever about Ireland might laugh; but he had with him hon. Members from Ireland who sat on the other—the Ministerial—side of the House when he said that the principle on which they wished this matter to be settled was one not of gift, but of loan. They were called on to-night, after a short debate, to decide on second reading the principle of the Bill —a principle to which the majority of the respectability of Ireland objected. His right hon. Friend the Member for Mid

Kent (Sir William Hart Dyke) had said that in the whole course of his experience in the House he never recollected such an occasion as this. They were asked to follow the dictum of the Prime Minister. What had happened to-night? Every Member who supported the Government, though they might have said it with bated breath, objected to this principle of gift. Every Member from Ireland who supported the Conservative Party on that side of the House objected to the principle of gift. Who, then, advocated it? Why, hon. Members representative of the Land League in the House, who a short time ago were represented by the Prime Minister as being "steeped to the lips in treason."

Mr. GLADSTONE: Perhaps the noble Lord will be kind enough to ascribe to me words I have used, and not words I have not used.

Lord CLAUD HAMILTON said, that the words were used by the Attorney General for Ireland, who had acted as the mouthpiece of the Prime Minister. And were they to be asked by the Prime Minister, backed up by the Land League, to vote for a principle to which Members coming from Ireland, on both sides of the House, absolutely and entirely objected? No; they objected. He spoke, not only as an Irishman, but as the Representative of one of the largest constituencies in this country, and as such he had to look to the pockets of those whom he represented in that House. He deliberately refused, if he sat there for 24 hours, to allow the money of his constituents to be voted away to enable the Prime Minister to pander to treason and the Land League in Ireland.

Mr. SPEAKER: The noble Lord must be quite aware that the expressions he has just used are quite un-Parliamentary.

Lord CLAUD HAMILTON said, of course he would withdraw the expressions. This money, however, was to be voted to those who had observed the behests of the Land League, the Leader of which had been described by the mouthpiece of the Prime Minister—["No, no!"]—a short time ago—["No, no!"]—by the Attorney General for Ireland, then — during the State Trials — as "steeped to the lips in treason." That was his justification for making these remarks; and all he could say was that no Representative of an English constituency would be doing his duty if he allowed the Bill to pass after the discussion they had listened to.

Mr. GIVAN said, with regard to the attitude of those hon. Members from Ireland who supported the Government, he must say for himself that he had not expressed any doubt as to the principle of the Bill, because he was convinced that a gift, and a gift only, was the proper remedy; and he declared the opinions of more than himself when he uttered this sentiment. He regretted there had been any difference amongst Members from Ulster; but he had this strong opinion in his mind—that by a gift, and a gift alone, could this difficulty be removed.

Mr. MACFARLANE said, he only rose to ask the question substantially asked by the hon. Member for Wexford (Mr. Healy) before the last division, and that was, what course Her Majesty's Government proposed to take after this division? Did they intend to stand firm? If not, he did not see why he should go to the trouble of walking through the Lobby with them now. He would go into the Lobby with them as often as necessary if they were prepared to maintain their position. If they would insist on the second reading of the Bill he was prepared to divide with them from now to the commencement of the Morning Sitting.

Mr. CHILDERS said, that the right hon. Gentleman the Leader of the Opposition, in the two or three statements he had made on the subject of the adjournment, had described, not unfairly, the general opinion of the House relative to the different points that had arisen in debate; but he had omitted to say one thing, which was singularly confirmed by the last division. He had omitted altogether to say that all those who had in detail criticized certain portions of the Bill, except those who sat behind him—and he had spoken especially of hon. Members sitting on that (the Ministerial) side of the House—expressed the opinion that the Bill should pass as rapidly as possible. Since then they had confirmed the opinions they had expressed by, without exception, voting against the Motions for Adjournment. That being the case, he failed to see what objection could now be raised to taking a division at once upon the second reading of the Bill. In reply to the question of the hon. Member for Carlow (Mr. Macfarlane), he might say that if the second division went as the last had gone, it would be the duty of Her Majesty's Government to press the second reading to-night.

Mr. BULWER congratulated the Government on the majority with which they had been favoured; but if they would allow him to tell them so, he had no doubt their majority was the result of a very strenuous and vigorous Whip. He had risen, however, for another purpose. He was interested in Ireland both by family and connections, and he had known it all his life. This Bill was placed in his hands on Saturday morning. He had had no opportunity of seeing its provisions until then. He had since read the Bill, and had written to friends in Ireland for particulars in reference to certain matters upon which he wished to inform himself, in order that he might be able to bring a sound judgment to bear upon the measure. It was now Monday—[*Cries of* "Tuesday!"] Well, it was Monday night or Tuesday morning, and yet the right hon. Gentleman asked him and others interested in the matter to come to a decision, when they had not had one-half of a debate. He had heard the hon. and gallant Member for Galway (Colonel Nolan) appealing to hon. Gentlemen sitting around him not to impede the progress of the Bill, as it only involved the abstraction of a paltry £500,000 from the pockets of the taxpayers. But if he (Mr. Bulwer) knew anything about Ireland, he would undertake to say that if such were the calculations placed before the House by the Government they were altogether erroneous, and that £4,000,000 would not cover the demands which would be made upon the public revenues to meet the requirements of the Bill. He had not the honour of a seat in the House during the last Session of Parliament; but he was in the House in the last Parliament, and at that time he formed one of a majority as large as that which sat upon the Ministerial Benches now. But he could not recollect an instance in which the Conservatives had used their power with such tyranny as the present Government. He knew that the master of great battalions was the master of the situation, and that if the right hon. Gentleman the Prime Minister chose to drive him and his Friends to the wall he could do so. But he would tell the right hon. Gentleman and the House that he, for one, was quite ready to stay there until 2 o'clock on Wednesday morning, if a tyrannical Minister with a powerful majority chose to drive him to it.

Mr. HENEAGE remarked, that, so far from there having been a vigorous Whip on the part of the Government, there had been no extraordinary Whip whatever—nothing beyond the ordinary Whip; and if hon. Members opposite were ready to stay there for the next 24 hours to prevent a decision being arrived at upon the second reading of the Bill, he was quite as ready to sit up all night to oppose them. Allusion had been made to the cost which the Bill would entail upon the British taxpayer. He ventured to remind hon. Members that even if the cost came to £2,000,000, the interest would not amount to as much as the country was now paying in consequence of the acquisition of Cyprus — an expenditure forced upon the taxpayers by the late Government. There was one other remark he desired to make. They had been told in the course of the debate that Her Majesty's Government were making an extraordinary demand upon the taxes of the country. Now, unless he was very much mistaken, about five years ago a much more extraordinary demand was made upon the country by the Cabinet of which right hon. Gentlemen opposite were Members—namely, a proposition to give a large sum of money in aid of the unfortunate refugees of a foreign country, with which England was in no way connected—he referred to what was called the Rhodope Grant.

Mr. E. STANHOPE wished to put a challenge to the right hon. Gentleman the Secretary of State for War. He would, in the first place, appeal to the House to endeavour, for a single moment, to try and throw themselves out of the heated atmosphere into which they had got into a cooler temperature. He had not had the honour of a seat in the House for very many years; but he was able to recollect this—that on many occasions, on the first night of a debate of great importance, he had heard the adjournment of the debate moved. Occasionally he had known the

Motion for Adjournment to be defeated, and a division taken on the Main Question; but he had never known—and he challenged contradiction—an instance in which the Leader of the Opposition had stated, on behalf of those who sat near him, that they desired to continue the debate, in which the Government of the day had not at once given way. [An hon. MEMBER: Go on with the debate.] In recent years it had been the invariable custom for the Leader of the Government for the time being to say that, although he would not agree to an adjournment moved by a private Member, yet, when the Motion was backed up by the Leader of the Opposition in his official capacity, the Government invariably yielded.

MR. STORER said, there was another reason why the Government should give way; and as it was altogether independent of anything in the shape of Party recrimination, he hoped it might induce the right hon. Gentleman the Secretary of State for War to pause before he insisted upon rushing a Bill of this extreme importance to the country through the House upon so short a notice. He was quite sure that the taxpayers of the country were not in the least aware of what was in store for them under the provisions of this Bill. There was a suffering class in the country which did not appear to be acknowledged by Her Majesty's Ministers at all—a class suffering far more severely than the farmers of Ireland, because, while the farmers of Ireland had had two good harvests, the farmers of this country had had two of the worst harvests they had ever experienced; and yet they were now asked to contribute towards enabling the Irish tenants to meet their obligations. He thought it was only fair and just that Her Majesty's Government should give ample time to the Representatives of the English farmers, in order to enable them to express the views of their constituents.

MR. O'CONNOR POWER said, he was afraid that if anybody entertained any doubt that the Irish question was often made the mere shuttlecock of Party in that House, he would be convinced of the fact by the proceedings which had occurred within the last two or three hours. If the present Bill were of a complex character, he could understand the hesitation of the right hon. Member for North Devon (Sir Stafford Northcote) in going to a hasty division upon the second reading; but nothing appeared in the printed form of the Bill which was not stated by the right hon. Gentleman the Prime Minister on the occasion upon which he first introduced it. They had already had some days in which to make up their minds as to the principle of the Bill, and as yet no direct opposition had been offered to the measure. The opposition had been of the most narrow and limited character; and he must say that he was surprised to find a great Party in the State, who were ready to vote away and abolish the British Constitution in Ireland in five minutes, wanting further time, after a whole evening's debate, for the consideration of a partial measure of relief. He spoke with some feeling upon the matter, because he knew that the proposals contained in the Bill affected the great majority of the tenant farmers of Mayo whom he was called upon to represent in that House. He knew of large estates in that county which at the present moment were in a most unsettled condition, and were awaiting patiently the decision of the House of Commons on the important question of arrears. He wished to know whether right hon. and hon. Gentlemen who were opposed to the Government were prepared to meet the Bill with a direct negative? If so, why did they not do so, and move that the Bill be read a second time on that day six months? If, on the other hand, they were not prepared to meet the measure with a direct negative, the course they were pursuing was plain and absolute Obstruction. Speaking for the landlords as well as the tenants of Mayo—for he had endeavoured to represent the united interests of both in the struggle which had been taking place during the last two years, and he had never consciously given a vote in that House, or delivered a speech, without his object having been to do justice to both classes—speaking, then, on behalf of both, he ventured to record a strong protest against the unreal and unpatriotic Obstruction which the Opposition were guilty of in preventing a decision being arrived at on the second reading of the Bill.

MR. BRODRICK remarked, that he would only detain the House for a moment while he entered a strong protest against the words "unreal opposition," which the hon. and learned Member for Mayo (Mr. O'Connor Power) had thought fit to make use of in regard to hon. Members who objected to the Bill. If the hon. and learned Member had been in his place during the greater part of the evening, and had had an opportunity of hearing the speeches which had been delivered, he would know that they had not been made with any view of obstructing the Bill. They were directed to a criticism of the provisions of the measure, which the Government had hitherto found it impossible to answer. The hon. and learned Member for Mayo, in the course which he had taken, had, however, simply followed the example of the right hon. Gentleman opposite (Mr. Gladstone), who, having been absent during almost the whole of the evening, now came down at the last moment to impute motives to his opponents and to force on a division.

Question put.

The House *divided*:—Ayes 135; Noes 272: Majority 137.—(Div. List, No. 93.)

Original Question again proposed.

Sir HERBERT MAXWELL said, that, although the voice of two great divisions of the United Kingdom had been heard on the question before the House, so far as he was aware, no Scotch Member had had an opportunity of expressing an opinion upon it. He appealed to the Prime Minister to consider the fact that the Bill, which was printed on Saturday, only reached Scotland that morning; and he would remind the right hon. Gentleman that it would very much surprise his constituents in Scotland, as he (Sir Herbert Maxwell) was sure it would surprise his own constituents, to read in the papers of to-morrow that this important Bill, which they had not had an opportunity of seeing, had been read a second time. He believed there were very few Gentlemen present when the hon. Member for Downpatrick (Mr. Mulholland) spoke that evening; but the point raised by that hon. Member was one on which the House was entitled to the fullest possible information. The hon. Member expressed great doubt, which would be shared by hon. Gentlemen on both sides of the House, as to the amount of the Surplus of the Irish Church Fund. It had been somewhat vaguely estimated to amount to about £2,000,000; but would he be surprised to hear that it amounted to half that sum? The agricultural depression, which formed the ground on which the Bill was recommended to the House, was not confined to Ireland alone. There had been agricultural depression in Scotland, where there were some heavy arrears of rent; and he thought if the Irish tenants were to receive assistance from the Government, of the unprecedented nature proposed in the Bill, that it would not be unreasonable on the part of the Scotch farmers to commence agitation —to toll the chapel bell, so to speak—in order to call attention to the grievances of their countrymen and the misfortunes they had suffered. As a Scotch Member, he thought he should be doing right in moving the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Sir Herbert Maxwell.*)

Mr. DILLWYN said, the hon. and learned Member for Mayo (Mr. O'Connor Power) had given the House a good reason for proceeding with the debate. Although the Motion for the second reading of the Bill had not been met by a direct negative by hon. Members opposite, it had, nevertheless, been met by dilatory arguments and Obstructive Motions. He appealed to Her Majesty's Government that, if this Obstruction proved successful, as was generally the case when it emanated from a considerable number of Members, the second reading of this Bill should be proceeded with before they went on with the Prevention of Crime Bill.

Sir JOSEPH PEASE said, that the objection to proceeding in this matter by way of gift was to be raised on an Amendment to Section 9. There was no one more strong than the noble Lord the Member for Middlesex (Lord George Hamilton) in saying he was prepared to deal with this question of arrears by way of loan; and, moreover, the right hon. Gentleman who was to move the Amendment had taken the same ground. Therefore, he would appeal to hon. Gentlemen opposite as to whether they had not already accepted the principle of the Bill. He was one of those who thought there was a great deal to be said on the question which had been so plainly raised on the other side of the House, and he should have some remarks to offer on the subject when the 9th section of the Bill was reached; but he trusted that they might be allowed to proceed with and read that evening a measure so necessary to Ireland and the interest of the country generally.

MR. A. J. BALFOUR remarked, that the hon. Member who had just sat down seemed to think there was no difference between the two sides of the House with regard to the Preamble. The hon. Gentleman said hon. Members on that side of the House ought to accept it, because they had already accepted the principle of the Bill in saying that loans should be advanced for the payment of arrears. But it had been laid down by the Government, as an essential principle of their legislation, that the money should be given as a gift, and not by way of loan; and, therefore, hon. Members on that side differed fundamentally from them on the principle of the Bill. He was bound to say that the speech of the hon. Member for Swansea (Mr. Dillwyn) was the strangest of all the strange speeches he had heard that evening in that House. He did not know whether the hon. Gentleman had taken part in the debate upon the Main Question; but from his observations he should certainly think he had not. But, notwithstanding that he seemed to have had no personal experience of the speeches delivered on this question, the hon. Member rose and said that the arguments made use of against the Bill were dilatory arguments.

MR. DILLWYN believed he had said that the Motions now made were dilatory Motions.

MR. A. J. BALFOUR said, he, of course, accepted the explanation of the hon. Member. But he believed the House would bear him out in asserting that if this was what he meant to say it was not exactly what he did say. The hon. Member, however, went on to state that the Bill having been met by dilatory Motions, was now met by Obstruction. But, notwithstanding the indignation of the hon. Member, he (Mr. Balfour) was quite certain that anyone who, like himself, had had the privilege of sitting with him in that House for six or eight years, would agree that no man would have been more ready to move the adjournment of the House, had the Government, when he was in Opposition, attempted to burke a great debate on its first night, or who, having moved the adjournment, would have persistently stood to his guns. He trusted that hon. Members on that side of the House would profit by the excellent example so often set them by the hon. Member for Swansea (Mr. Dillwyn), and those who sat near him. He hoped he was in the recollection of the House in alluding to a remark which had fallen from the hon. Member for Great Grimsby (Mr. Heneage), because it seemed to him that that hon. Member had, so to speak, "let the cat out of the bag" in the most unfortunate manner when he said that there had been no urgent Whip.

MR. HENEAGE: I beg pardon. I said there had been a very ordinary Whip.

MR. A. J. BALFOUR entirely accepted the statement of the hon. Gentleman. He now understood him to say that there was no "Whip," asserting there would be a division that evening.

MR. HENEAGE: I intended to convey that there had been no "Whip" for an urgent division to-night.

MR. A. J. BALFOUR said, that being so, the Government came down to the House and told Members that it was absolutely necessary to divide on the Bill at that Sitting. But did anybody ever hear of a Government expecting a division on a great question, who did not issue a "Whip" for it? Of course, he did not know whether the hon. Member for Great Grimsby had accurately stated the position; but he knew that his assertion that there had been no "Whip" was greatly cheered on that side of the House, and had not been contradicted. If, therefore, as he believed, no "Whip" had been sent out that morning saying there would be a division, it was a most conclusive proof to anyone acquainted with the customs of the House that the Government could not have had any intention of dividing.

MR. CHILDERS said, he wished to set the House right as to one of the statements made by the hon. Member for Hertford (Mr. Balfour). The hon. Member, doubtless from not having again read the Amendment, had stated that it simply raised the question whether the payment on account of arrears should be a payment by way of gift or by way of loan. But he must remind the House that the right hon. Gentleman (Mr. Sclater-Booth) had said this was not the object of the Amendment; but that it admitted of the whole payment, if made out of the Church Fund, being by way of gift. But if the latter was not sufficient, he suggested, he (Mr. Childers) believed, the payment of 1*d.* in the pound on the valuation of land in Ireland, which, according to him, in six years, would make up the deficiency. So that the question they had to decide related only to a fraction of the whole payment, and even in respect of that another means of meeting it was suggested. He thought that that might very well be decided after one night's debate.

Mr. GIBSON said, he thought the observations of the right hon. Gentleman the Secretary of State for War were somewhat misleading. The right hon. Gentleman intimated that the Amendment dealt only with a fraction of the question. It was true that it was put in that way by the Prime Minister, who said there were £2,000,000 of arrears to be dealt with; that he hoped it would not be so much, but, in case of accident, he measured the arrears at that sum, and in the event of the Irish Church Fund being insufficient he should move for the payment of £500,000 out of the Consolidated Fund. It was in that sense that the right hon. Gentleman used the word "fraction."

Mr. GLADSTONE: The right hon. and learned Gentleman has entirely missed the purport of what my right hon. Friend said, and also of what the right hon. Gentleman the Member for North Hampshire (Mr. Sclater-Booth) said. My right hon. Friend's point is this—the question we are debating is not the question involved in the main principle of this Bill; and the right hon. Gentleman the Member for North Hampshire expressly stated that his Motion did not raise the question whether the assistance should be by gift or loan. His Motion did not raise that question at all; all that it asks us is to determine whether the assistance shall come from the Consolidated Fund or not. We have pointed out that the bulk of the relief may be from the Church Surplus Fund.

Mr. GIBSON: I am very sorry to have interrupted the Prime Minister, but I do not think I have made a mistake in the matter; and, at all events, I have not made a mistake intentionally. True it is that the Amendment before the House is one which says if the assistance is to be from the Consolidated Fund, it shall not be by way of gift, but by way of loan. And the way in which the figures were represented by the Prime Minister showed that we are only dealing with a moderate portion of the liability, inasmuch as the greater portion was to be by way of gift from the Church Surplus Fund. The hon. Member for Downpatrick (Mr. Mulholland) demonstrated, however, I think, to the satisfaction of many that the Church Surplus Fund could not be relied upon to represent anything at all like the amount indicated by the Prime Minister. The Prime Minister valued that Fund at £1,500,000; but the argument of the hon. Member, who is a thorough master of this question, demonstrated that this Fund was not now worth £500,000, and that would leave, to be covered by the Consolidated Fund or some other source, far and away the larger portion of the liability. In other words, this Amendment indicates that the larger portion of the liability should be dealt with by way of loan, and that the real thing to be looked to to supply the arrears must be the English Treasury, or the machinery of the English taxpayer; and in that sense I think the Amendment now before us raises important questions. I do not now propose to discuss the question in detail, but there are many questions beyond the question of finance that call for comment; and, bearing in mind the answer I received at the commencement of these proceedings from the Financial Secretary to the Treasury, I think I might appeal to the love of fair play of the Prime Minister, with all his majority at his back, to consent to this adjournment. I would remind him that he largely bases the machinery of this measure on the calculation that the Church Surplus Fund will yield £1,500,000; and I venture to put it that this Bill would hardly be brought forward if the whole sum had to be provided from the Consolidated Fund. So far back as last February a Return was issued to show the condition of the Church Temporalities Commission. That was ordered to be printed on the 24th of February; and the question I asked to-night was, what was the cause of the astounding delay in circulating that Return? What was the answer I received? All my dates were quite accurate; but it seemed that at some date not fixed the Government had found it necessary to recall the Return, in order to present the figures in a way more conformable with accuracy; and when I asked the hon. Member, as the third head of my Question, whether he could, for the convenience of this debate, and in order to assist hon. Members in dealing with this question, state the results of that Return, the answer I got was that the figures would bear out the statement of the Prime Minister. A more loyal answer was never given by a Financial Secretary; but still its loyalty did not convey very much information to the House. Having regard to that fact, and to the fact that the House has had no answer to the speech of the hon. Member for Downpatrick, who suggested to hon. Gentlemen opposite who are capable of giving answers to financial speeches that they should give a reply, I venture to think that we should have an opportunity of discussing this point. I am not conversant with matters of finance, and if this debate is postponed that is not a branch of the subject with respect to which I should seek to weary the House. I merely took up a branch of the subject suggested by a single word of the right hon. Gentleman, and when I come to speak I shall address myself to other grounds more suitable to my own knowledge. I will not dwell upon that now; but I do sincerely hope the Prime Minister, after the divisions which have taken place, will see that it is not unreasonable that he should accede to the Motion.

Mr. GLADSTONE: I wish to repeat my apology to the right hon. and learned Gentleman; but I must adhere to my statement, and the right hon. and learned Member has no means of meeting that statement, except by what lawyers call "reading into"—not by the Mover of the Amendment, but by an hon. Member at the back of the House. The right hon. and learned Gentleman says the hon. Member for Downpatrick (Mr. Mulholland) stated that the Church Surplus Fund would not yield more than £500,000. I heard every word of the speech, and everything that falls from the hon. Gentleman is worthy of respect; but I venture to say, with the utmost confidence, that in my opinion there was nothing contained in that speech which in the slightest degree shook my statement. But the point is that the Amendment which is moved must be interpreted by its words, and not according to extraneous matters in speeches by hon. Members, which the right hon. and learned Gentleman treats as essential considerations. The point of the Amendment deals with the whole question by way of gift from the Church Surplus Fund; gift from Irish land was suggested from the other side—gift from any quarter except the Consolidated Fund is suggested; and that is why we say that the point upon which this opposition is raised does not touch the essential condition of the Bill, and that these two divisions, expressing the sense of the House by a two-thirds majority, were not allowed to decide. Then we are pressed for a precedent; and the hon. Member for Mid Lincolnshire (Mr. E. Stanhope) says he never has known such a thing as that the request of the Leader of the Opposition for an adjournment should be refused. [Mr. E. Stanhope: On the first night.] Then the experience of the hon. Member is extremely narrow or very inadequate. There is no opposition to hon. Gentlemen who reasonably urge adjournment; but we must look at the circumstances of the case. I was told that I had described this as a first-class measure; but that is no distinction of mine, and I do not recognize that it is the most accurate description. It is an important measure; but the issue is a collateral point, and we are not allowed to decide it—and at a time when, as has been pointed out by the right hon. Member for Bradford (Mr. W. E. Forster), the settlement of this question and the delivery of decisive judgment on the principle of the Bill is necessary to allow the course of affairs to proceed in Ireland and enable the Government in that country to have a fair chance of successful administration, and to give to the Land Act a reasonable hope of attaining its end. If I am asked for a precedent I cannot recollect a time when a request for adjournment was made under such circumstances by the Leader of the Opposition, or when a request for adjournment was pressed by a Leader of the Opposition after such remarkable manifestations of the judgment of the House.

Mr. CHAPLIN said, the right hon. Gentleman seemed to be under the impression that the only point raised in the minds of Members was the Amendment submitted by the right hon. Gentleman the Member for North Hampshire (Mr. Sclater-Booth). The Prime Minister was under a great misapprehension. He did not know what might be the views of other hon. Members; but, speaking for himself, so far as he had been able to study the question and form an opinion upon this Bill, it seemed to him to be the most dangerous and demoralizing measure he had ever seen. So far as he was concerned, if the Government intended to press it—and he had every reason to suppose they did—he should most certainly take a division on the second reading, and he should have been glad of an opportunity of stating his reasons for doing so. No one could question the importance of this Bill. The right hon. Gentleman had appeared to be trying to whittle down the importance of the Bill; but the language he now used was very different from the language he used on some occasions not long ago. He wished to put another question to the Government. His right hon. and learned Friend (Mr. Gibson) had referred to the statements which were repeated two or three times by the hon. Member for Great Grimsby (Mr. Heneage). It was clear from those statements that there was no intention on the part of the Government to take a division to-night. If that was not so, as he saw the noble Lord the Member for Flintshire (Lord Richard Grosvenor) in his place, perhaps the noble Lord would state whether a Whip was issued or not. He thought the noble Lord might fairly call upon the House and say whether the statement made by the hon. Member for Great Grimsby was accurate—namely, that no Whip was sent out for a division to-night, and, consequently, that no division was intended by the Government.

Mr. HENEAGE said, no hon. Member had a right to attribute to another hon. Member what he had not stated. The hon. Member for Mid Lincolnshire had attributed to him the statement that no Whip was sent out and that no division was intended. He had never said anything of the sort. What he had said was that no urgent Whip was sent out for this division.

Mr. SPEAKER: I must point out to the House, and to the hon. Member who has just addressed the House (Mr. Chaplin), that this digression is certainly irregular on a Motion for the adjournment of the House.

Mr. CHAPLIN said, he would refer to the matter no further than to explain that what he had attributed to the hon. Member for Great Grimsby was the statement that no Whip had been sent out for a division. ["Order, order!"] He thought hon. Gentlemen, or, at least, those of them who had had any experience of that House, would acknowledge that indulgence was allowed to every Member who wished to make a personal explanation. That explanation was due, and he had therefore risen to make it. He would make one more appeal to Her Majesty's Government, which was that, taking all things into consideration, they should not endeavour to force on a division to-night. So far as he was concerned, he was certain he should be accompanied in the division by every Member on that (the Conservative) side of the House. They were prepared to stay for any number of hours in order to fulfil what he believed to be a distinct duty and obligation on their part. It was their duty to resist this tyrannical attempt on the part of the Government in pursuit of a course which, whatever the right hon. Gentleman might say, he believed, and should always believe, unless an instance to the contrary were quoted, was wholly without precedent.

Mr. SCLATER-BOOTH said, it was his misfortune, and not his fault, that he was obliged to frame his Amendment without having the opportunity of seeing the Bill, which was not circulated till Saturday morning. He had framed it, however, after having attentively listened to the statement of the right hon. Gentleman the Prime Minister the other evening. It was quite true that if one clause were struck out of the Bill his Amendment would fall to the ground; but, as long as the Government refused to strike out that one clause, he must regard it as vital to the Bill.

Mr. O'DONNELL said, that discussion ought and was certain to convey a deep lesson to the people of Ireland, at any rate. He believed he was as fond of fighting for the mere sake of fighting as the right hon. Baronet the Member for North Devonshire (Sir Stafford Northcote); but even he should be puzzled to account for the manner in which the right hon. Gentleman had thrown his weight into the comparative superiority of the method of loan over the method of gift, had he not some knowledge of the real intention of the opponents of the Irish tenantry. For his own part, he (Mr. O'Donnell) attached very little weight to the preference of a good many hon. Members for the method of loan over gift—loan, forsooth, to thousands and tens of thousands of starving tenantry whom every man in the House knew would never be able to repay a loan. If they were able to pay the loan they ought not to get the assistance. It was because they were in a desperate condition that this Bill had been brought in, as everyone knew who looked at the matter from other than a Party point of view. What was at the back of this dilatory policy of the opponents to the tenantry? It was because they had been told that the policy of coercion was to precede this Bill; and he, therefore, said that if Her Majesty's Government persisted in the intention they had originally formed, in ignorance of the conduct that would reveal itself to-night, of resolutely postponing the Arrears Bill until they had made progress with the Prevention of Crime Bill, they would see more and more of this dilatory policy when the first-named measure came on. The coercive policy would be pushed on with all the energy and goodwill of the Conservative Party; but when this debate was adjourned—if it was to be adjourned—and taken up again after the Coercion Bill was sent to the House of Lords, where loving arms were waiting to embrace it, then Ireland, so far as it depended on the English Parliament, the policy of the Liberal Party and the best interests of both countries would be dependent and solely at the mercy of that section of English politicians who, up to the present, had never contributed anything but the most envenoming elements of quarrel between Great Britain and Ireland.

MR. LABOUCHERE said, he rose for the purpose of throwing oil on troubled waters by making an appeal to the consciences and common sense of hon. Gentlemen opposite. Last year, it would be remembered, a Coercion Bill was brought in. Irish Gentlemen, in defending what they and many others considered the liberties of their country, kept the House up all night. That conduct was denounced by no persons more strongly than by the Gentlemen of the Conservative Party. They said that the Irish Members were disgracing and degrading the House. Well, he should like to ask what were the Conservative Party doing now? The hon. Member for Hertford (Mr. Balfour) told them that this was not Obstruction; and if it was not, he (Mr. Labouchere) could only say it was extremely like it. He had the greatest respect for the Scotch Members, because they were given to keeping silence; but when they found a Scotch Gentleman getting up and literally telling them that they ought to adjourn now in order that the Scotch Members might have an opportunity of addressing them on an Irish Bill he said that Obstruction could not go farther. If hon. Members were deaf to the voice of their consciences, perhaps they would listen to a little common sense. ["Question!"] He thought hon. Gentlemen would find this was the most practical observation—and he thought he could say it without vanity —that had been made this evening—namely, that either the Prime Minister would yield or he would not yield. Let him point out what would be the result of the Prime Minister yielding to-night. The Bill for the Prevention of Crime was set down for to-morrow. [An hon. MEMBER: To-day.] Yes, to-day. The programme of the Prime Minister was that this Bill should be read a second time before the Bill for the Prevention of Crime was proceeded with. Well, hon. Gentlemen opposite defeated that intention of the Prime Minister, and he made no doubt that to-day it would be supported by the Irish Members. They would support it by the simple process of obstructing the Prevention of Crime Bill to-night. He would, therefore, point out that the Prime Minister would gain absolutely nothing by yielding to hon. Gentlemen opposite except a late Sitting; while, at the same time, the programme which he had drawn up, and which had been supported by a large majority of the House, would be broken into. There was only one thing to do if hon. Members opposite intended to make a night of it—namely, organize themselves into relays and meet hon. Gentlemen in the usual manner; or the Prime Minister should do what he understood the Conservative Party did not wish him to do—namely, set down the present Bill for this day; and if the division were not taken this evening—if hon. Members opposite pursued the same tactics—set it down for the Derby Day, which would give the hon. Member for Mid Lincolnshire (Mr. Chaplin) an opportunity of addressing the House, of which, no doubt, he would avail himself. It was now 3 o'clock in the morning, and he trusted they would be given clearly to understand whether or not they were to sit up all night. ["Yes, yes!"] Then, if so, let them organize themselves into relays. If not, let the Prime Minister favourably consider the alternative course he had suggested.

Sir STAFFORD NORTHCOTE: The hon. Member commenced by saying that he was going to pour a little oil on the troubled waters; but whether it was his intention to do that or pour a little oil on the fire he thought was not blazing quite brightly enough I leave the House to imagine. I hope it will not be our fate to have anything to do with organizing an All-night Sitting. However, that is not a matter on which, at present, I can express any opinion. The demand which we have made for a continuance of this debate at a time when we can properly resume it is one that is so reasonable and thoroughly within our right that it is utterly impossible for me to shrink from pressing it on the Government. We consider this matter, whatever may be said by the Government or anyone else, to be one of very great importance. We consider that it involves future consequences that cannot, or ought not, to be neglected, even for the highest momentary advantages; and though we know that when the second reading of the Bill ultimately comes to a division we shall be beaten by a majority, we feel it our duty to ourselves and to the country that we should have a fair opportunity of expressing our views. I can assure the right hon. Gentleman that there are hon. Gentlemen on this Bench and others on this side who wish to bring important matter before the House that will not be in the nature of dilatory discourse, but really argumentative. As regards the suggestion of the hon. Member (Mr. Labouchere) as to the order of proceeding with the measures, that, of course, is a matter which is in the hands of the Government. They will go on with the conduct of Business as they think fit. That is a point on which I express no opinion. As to the main point that we have to deal with, though I am sorry to be setting myself and Friends against the feeling of the House, we feel it our duty to insist, as hard as it is in our power to insist, for further time for the consideration of the Bill.

Mr. VILLIERS-STUART said, he hoped the House would not think that the voice of Scotland was heard when the hon. Gentleman opposite moved the adjournment. He believed the Scotch Members were almost unanimously in favour of the Bill being rapidly passed through the House.

Mr. HEALY said, he rose merely for the purpose of saying one word. The right hon. Baronet the Member for North Devon (Sir Stafford Northcote) had stated that he intended to take his Party any length against the Government, and they all knew very well that the right hon. Gentleman had a large following at his back. When the Government had to deal with a small Party of 20 or 30—as in the 49 hours' Sitting—by a system of relays that Party was easily beaten; but it was a different thing with the Tory Party. The Conservatives declared that the Bill for the Prevention of Crime was of the utmost importance in Ireland. They had urged that the Government should bring it forward at once and proceed with it urgently from day to day. Well, now they had a good opportunity of testing the sincerity of the Tory Party with regard to their expressed opinion as to the state of Ireland by accepting the suggestion of the hon. Member for Northampton (Mr. Labouchere), and, instead of taking the Prevention of Crime Bill to-day, putting down this Arrears Bill instead.

Mr. GLADSTONE: Mention has been made of the order of Business, and I think I may say that what was suggested by the hon. Member for Northampton was not new to us. It was a matter that had been discussed in conversation between right hon. Gentlemen and myself on this Bench; but we were unwilling to say anything about it publicly until the time of necessity came, because it might have had the appearance of a threat if it were proposed by us as a contingency. After what has occurred, we certainly have made up our minds to ask the House to proceed with this Arrears Bill to-day. Immediately the second reading is disposed of we will take the Committee on the Prevention of Crime Bill and then proceed with our plan, with no other alteration. But I am bound to say that the proceedings of to-night bring into greater doubt the question, which was already doubtful, as to whether it will or will not be possible to propose that the House shall adjourn for any holidays at Whitsuntide. That question must be reserved for consideration. The course we take will depend upon the progress we may make with the two Bills. Under the circumstances we do not think it necessary to ask the House to take a further division.

SIR STAFFORD NORTHCOTE: By the indulgence of the House I may, perhaps, say in one word that our reason for pressing for a continuance of this debate was a thoroughly *bonâ fide* one. We desired it not for any purposes of Obstruction, but in order that we might have a full and proper discussion. We are perfectly content to take the offer that is made, that there shall be an adjournment now, and that the House at its meeting to-day shall resume the discussion now closed. The Government are responsible for the order of Business, not us. We make no objection to what they propose, and as to the Whitsuntide holidays, we must do the best we can. I presume the debate is now closed.

Question put, and *agreed to.*

Debate *adjourned* till *To-morrow*, at Two of the clock.

SUPPLY.—REPORT.

Resolution [19th May] *reported.*

Resolution *brought up*, and read the first time.

Motion made, and Question proposed, "That the said Resolution be now read a second time."

MR. DILLON regretted that he found it necessary to request the Government to postpone the consideration of the Report of Supply. There was raised a most important question which it was utterly impossible to adequately discuss at this hour of the morning; indeed, he hardly thought the House would be in the humour to enter upon the consideration of a question which must necessarily occupy a considerable time. It would be in the recollection of the House that when the Vote was in Committee he raised the question of the salary of Mr. Clifford Lloyd, which was included in the present Vote. The Chief Secretary to the Lord Lieutenant was not present, and he (Mr. Dillon) and his hon. Colleagues stated that they were not satisfied with the explanation of the Attorney General for Ireland. After a somewhat prolonged debate, the Attorney General for Ireland undertook that there should be an inquiry into the matter; and he (Mr. Dillon) said then he would raise the question again. This morning he had received a letter from the Rev. J. Sullivan, the priest of Pallas Green, in which a miserable picture was given of the condition of things at present existing there. He felt bound to read a portion of the letter to the House. The letter was dated the 19th of May, and the writer says—

> "I have been thinking for some days of writing to you about Lord Cloncurry's tenants, who have been lately evicted in Macroom. These poor people are now in such a condition that I cannot any longer resist bringing them under your notice, and asking you to try and have something done to relieve them. There are 50 families—about 300 people—evicted, and as the erection of the huts was prevented, they are in the most wretched state in the way of lodging and accommodation. In many cases, two and three large families are huddled together in one small house, and some of them are living in outhouses. The noble ladies of the Land League are generously standing to them with money, and but for that they would be badly off indeed. I am thoroughly convinced that there is no chance of a settlement between Cloncurry and the tenants. On the one side, the tenants could not, even if they were willing, accept the terms proposed by him—namely, that they should pay all rent and costs hitherto incurred—£3,500—and take leases for 61 years' old rent, which would bar them from the benefit of the Land Act. On the other side, Cloncurry will never yield, and give to the tenants the terms they are demanding. The yearly rental of the evicted tenants is only £1,200 a-year, and he can do without this for many years. The only solution of the difficulty is that the Government should buy the estate for the tenants."

The only thing he (Mr. Dillon) could do was to urge the Chief Secretary to put a stop to the inhuman practice of preventing the erection of huts for the shelter of the wretched people turned out of their holdings. Were, he asked, these people to be housed like dogs because a magistrate was permitted to make a law for himself? He challenged the Chief Secretary, or the first Law Officer in Ireland, to state what law entitled a magistrate to go to a man in Ireland and say—"You shall not erect a house on your own land for the shelter of an Irish farmer." There was no law giving such a power. Mr. Clifford Lloyd had resorted to an obsolete Statute which had not been used for more than 300 years—it was passed some 500 years ago—he made laws of his own, and enforced them with an utter contempt of all ordinary magisterial practice and Courts of Justice. One of the laws Mr. Clifford Lloyd had created was that an evicted tenant should be left on the road-side. He said his reason was that he believed that the evicted tenants meant to occupy the houses with the object of intimidating the men who had taken the farms; but this gentleman seemed to forget that there were laws in force in Ireland—the Whiteboy Act, for instance, which was a disgrace to the Statute Book—for punishing alleged acts of intimidation. Were those laws not sufficient to deal with the present case? The district was teeming with police. Were they not able to keep things straight? Mr. Clifford Lloyd, he supposed, had never been accused of remissness in his duty; and he had driven these unfortunate people into outhouses and into places not fit for dogs, because he alleged that they meant to use the huts for the purpose of intimidating others. Proceedings such as those of Mr. Clifford Lloyd utterly demoralized the people. He wished to urge on the attention of the House, now that it was going to enter upon a ruinous course of legislation, that the true causes of the outrages in Ireland were to be found in the acts of such men as Mr. Clifford Lloyd. Three hundred men, women, and children, whom he knew to have been in tolerably comfortable positions, and who had lived in fairly good houses, were now huddled together in outhouses in a way which would not have been tolerated in any civilized country save Ireland, and all because a special magistrate, who got £1,500 a-year for bringing the law into contempt, decreed that it should be so. That was his (Mr. Dillon's) case, and he hoped the Report of Supply would not be taken to-night unless they received some satisfactory assurance from the Government on the subject. What he would ask the Chief Secretary for Ireland to do was this—to postpone the Report of Supply until he was in a position to state to the House whether or not the Executive would allow evicted tenants to be housed or not. He should take every opportunity, in season and out of season, to bring before the notice of the House and of the people of this country the fact that evicted tenants in Ireland were to be hunted about the country like wild animals, and that the commonest charity which every Christian ought to extend to them was to be denied them on the mere word of an Irish magistrate that they intended to commit a crime, which, if they did commit, was punishable under laws which would not be even tolerated in this country. If the people committed the slightest act which could be construed into intimidation, the law could strike them instantly. He denied it was law at all to punish a man and prevent him putting a roof over the heads of his children, because it was alleged he intended to commit a crime.

Mr. TREVELYAN regretted the course the hon. Gentleman had taken, especially after the answer he gave him at the commencement of the Sitting. He could not believe the hon. Member seriously wished to stop a Vote of upwards of £2,000,000, because he took exception to the monthly salary of one official. The answer he gave at Question time was that the controversy which was now going on on the estate of Lord Cloncurry was an exceptional one, and one on which he should be most unwilling to attempt to give an opinion second-hand. He would not like to form an opinion on the subject until he had had an opportunity, which he was now earnestly longing for, of going again to Ireland and consulting the highest Executive authorities. As a matter of fact, he wanted to know how the case really stood. He did not feel bound to promise that he could come to a conclusion within any given time; all he was willing to say was that he would form an opinion as soon as he could after obtaining the best information he could possibly secure.

He earnestly hoped the hon. Member would withdraw his opposition to the Report of Supply.

Mr. SEXTON said, he was sorry the right hon. Gentleman had thought it consistent with his duty to give the assurance his hon. Friend (Mr. Dillon) desired. Since he had entered so recently on his duties, and had been occupied with so many affairs of great importance, it was but natural he should ask for further time for the consideration of the matter. Nothing, however, could exaggerate the urgency of the question which had been brought under the notice of the House by the hon. Member for Tipperary (Mr. Dillon); nothing could exaggerate the scandalous impropriety and the gross tyranny of the conduct pursued by Mr. Clifford Lloyd. He supposed Mr. Clifford Lloyd's experiences in British Burmah were at the bottom of his present tyrannical proceedings in Ireland; certainly, he could never have acted so outrageously nearer home. He had thrown ladies into gaol without giving them the slightest opportunity of defence; he had sent out telegrams to the constables of County Clare to send him in a list of the tenants who had paid their rents; and, lastly, he had, by a system of terrorism and unprecedented inhumanity, prevented the housing and sheltering of these poor people. One poor man, who had lived in tolerable comfort until these hard times, was evicted; he had been sheltered in one of these huts; but he was turned out, and had since died, a miserable victim to exposure. No one would deny the extreme urgency of the question. Mr. Clifford Lloyd was a gentleman who indulged in monstrous and scandalous perversions of the truth; and it was only the other day he put into the mouth of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) two statements which were completely false; the one was that the tenants who had given the sites for the huts had done so through terrorism; the other was that tenants would have paid their rents had it not been for the terrorism which prevailed. The sites had been given freely, and the tenants who had not paid their rents had not done so through sheer inability. He hoped the right hon. Gentleman (Mr. Trevelyan) would inaugurate his official career in Ireland by an honest and searching and courageous inquiry into this question. Whatever intentions of justice and pacification might be held by the House, they would be useless, and would be regarded by the most helpless and needy class in Ireland as worse than mockery, if tyrants like Mr. Clifford Lloyd were allowed to continue in positions of trust. He believed the good intentions of the Government would be gauged by their action in this matter. The plea of intimidation was an absurdity. In one case Mr. Clifford Lloyd had forbidden a man 78 years of age to occupy, with his family, a hut, although it was erected two miles from the farm from which he had been evicted, and on the farm of his own cousin. He (Mr. Sexton) was inclined to trust to the human instincts of the Chief Secretary. He hoped that not an hour would be wasted by the right hon. Gentleman in bringing considerations of humanity and justice to bear on the question.

Mr. O'SULLIVAN said, that, as the circumstances referred to occurred in the county which he had the honour to represent (Limerick), he wished to impress upon the right hon. Gentleman the Chief Secretary the necessity of taking immediate action in the matter. These evictions altogether differed from others which had taken place in Ireland. They were not evictions for arrears of rent, but were cases in which the tenants had allowed the land they held to be sold to the Emergency men, for the landlord—Lord Cloncurry—although many of the unfortunate tenants were only half-a-year in arrear with their rent, the landlord took advantage of the fact that the Emergency men were allowed to purchase, and put them out on the title. He (Mr. O'Sullivan) thought the case was one which called loudly for the active interference of Her Majesty's Government in order to prevent this man from taking an unfair advantage of his tenants, simply because, in a time of great excitement, they had allowed their land to go to the Emergency men rather than purchase back their rights. Regarding Mr. Clifford Lloyd, it was a well-known fact that there was not a district in Ireland which he had gone into in which he had not occasioned a disturbance. For instance, look at the town of Bruff. He was well acquainted with this particular locality, and there was not a more peaceable place in the county of Limerick. But the first day that Mr. Clifford Lloyd set his foot in it there was a row, and 14 men were committed to prison. Having been detained in gaol for four months, they were tried and acquitted by the Judge, because there was not a shadow of a case against them. There were very few places in the county of Limerick in which Mr. Clifford Lloyd had not left his mark. He thought the Government were acting very foolishly in retaining a man who had produced such a bad impression, both in Limerick and Clare, as Mr. Clifford Lloyd; and more especially when the case in this particular instance was not one of eviction for the non-payment of rent, but simply because the tenants had, in a moment of difficulty and excitement, refused to purchase back their rights, and had allowed them to fall into the hands of the Emergency men.

Mr. HEALY trusted that the right hon. Gentleman the Chief Secretary would see his way to some conclusion which would solve the difficulty and relieve these unfortunate tenants of the hardship from which they were at present suffering. He thought there was considerable force in the idea which the right hon. Gentleman seemed to have—that there would be advantage in his going over specially to Ireland in order to see for himself what were the state of the country and the condition of the people. He would hail with joy the intention of the right hon. Gentleman, if he found himself able to go to Ireland without being surrounded with police spies; and he had very little doubt that the right hon. Gentleman would return to this country entirely converted to the opinion which the Irish Members, who were acquainted with the district, entertained. In the meanwhile, the suggestion he would make to the right hon. Gentleman was this. Mr. Clifford Lloyd had taken a certain action. The right hon. Gentleman admitted that he had not yet been able to form an opinion as to the character of the action taken by Mr. Clifford Lloyd; but, notwithstanding that he was in a state of doubt, the right hon. Gentleman allowed the action taken by Mr. Clifford Lloyd to stand. He (Mr. Healy) thought it would be much better to give the unfortunate persons who were oppressed by Mr. Clifford Lloyd the benefit of the doubt, and allow them to put up these huts, pending a final decision on the part of the Government. If there was any doubt at all, why throw all the weight of the Government influence on the side of the strong and in the direction of coercion, instead of exercising it in favour of the poor peasants who had been turned out of their holdings, and were now huddled together in what were practically little better than pigsties? Until the right hon. Gentleman was able to arrive at a decision in regard to the legality of the measures taken by Mr. Clifford Lloyd, it would only be an act of humanity to allow these poor people to erect the sheds they desired to put up; and if ultimately his decision should be against them, they could easily be required to pull them down again. He might also release the unfortunate cottiers who had been trying to earn 1*s.* a-day by driving a few nails and putting up these huts. They were not likely to run away, and he sincerely hoped the right hon. Gentleman would give them a chance of doing something to earn a subsistence. This was not an extreme position to take up. He failed to comprehend what law there could be which prevented any man from erecting a house; and that was the only position he took. Whether the huts thus erected were 100 yards, 200 yards, or a mile, or 2,000 miles away from the holdings of the evicted tenants had nothing whatever to do with the question. Knowing well the character of Mr. Clifford Lloyd, and the reputation he had acquired for harsh, severe, and oppressive measures, he appealed to the right hon. Gentleman the Chief Secretary, pending his final decision, to allow these poor people to enjoy the shelter of these wretched huts; and, in that case, he would ask his hon. Friend to withdraw any further opposition to the Vote.

Mr. BIGGAR said, he wished to make a suggestion to the right hon. Gentleman the Chief Secretary in regard to Mr. Clifford Lloyd. The suggestion he would make was this. In Belfast there was at present no Resident Magistrate at all. It was the place from which Mr. Clifford Lloyd had been removed in order to be stationed in the South and West of Ireland; and he would suggest that that officer should be removed back again to Belfast, from whence he was originally taken, and where he might have given reasonable satisfaction. Certainly, Mr. Clifford Lloyd did not possess in Belfast such a field for misconduct as that which he enjoyed now. He believed that the removal of Mr. Clifford Lloyd back again to Belfast would be satisfactory to all persons concerned. More than that, he hoped that the right hon. Gentleman, in his contemplated visit to Ireland, would not allow himself to be influenced by the representations of Mr. Clifford Lloyd. He thought it would be perfectly impossible, and the right hon. Gentleman would readily understand why, to get an honest report upon these occurrences from that officer. Mr. Clifford Lloyd would certainly present his own conduct in the most favourable light, and was, therefore, likely to mislead the right hon. Gentleman very considerably. It was most desirable, if the right hon. Gentleman desired to have reliable information, that he should obtain an entirely independent report from some person other than Mr. Clifford Lloyd, who would inevitably attempt wilfully to mislead the right hon. Gentleman. If the right hon. Gentleman went to Ireland as Chief Secretary, and surrounded himself with officials connected with the Constabulary and the Irish Executive, he would never learn the truth; and the result would be disastrous to his future political career, and most injurious to the interests of all parties concerned.

Dr. COMMINS expressed surprise that the challenge which had been thrown out by the hon. Member for Tipperary (Mr. Dillon) had not been answered. The hon. Member asserted that the conduct of Mr. Clifford Lloyd in regard to a good many of his acts was unsanctioned by any law or any statute; and the hon. Member for Sligo (Mr. Sexton) had given several instances in which the conduct of this harsh and overbearing officer was entirely unjustified and unjustifiable. Other cases might be added—such as the one in which he summoned before him a number of shopkeepers who declined to deal with Mrs. Moroney. The word "summon" was hardly correct. He did not summon them in accordance with any legal process; but, like some Turkish Pasha, he sent them a peremptory notice to appear before him, and informed them that if they declined to furnish goods to Mrs. Moroney they should all be sent to gaol together. Such conduct was utterly illegal; and if Mr. Clifford Lloyd had done one-fifth of the acts attributed to him, there was not a statute which he had not broken, and not a crime, except, perhaps, manslaughter and murder, which he had not committed. The Law Officers of the Crown had been distinctly challenged by his hon. Friend the Member for Tipperary (Mr. Dillon) to give anything in the way of justification for the course pursued by Mr. Clifford Lloyd in preventing the erection of these huts in the county of Limerick, except his own autocratic will. But the Law Officers of the Crown sat still upon the Treasury Bench. They could not answer the question, for the simple reason that they had no law to give in justification of the arbitrary course of procedure adopted by Mr. Clifford Lloyd. It was a strange state of things in Ireland to know that they had a single individual exercising the power of an Eastern Pasha, laying down what the rights of the subject were, and showing that if he had ever read Magna Charta, which was supposed to be the fundamental law of liberty in England, he had only read it for the purpose of deliberately violating every provision contained in it. Mr. Clifford Lloyd produced disturbance and disorder wherever he went; and, knowing the character of the man, it was by no means wonderful that he did so. Recently he had fallen back, like some other magistrates in Ireland of a similar disposition, upon the obsolete Statute of Edward III. Hitherto that Statute had been quite obsolete in Ireland. He had heard of its being enforced in a few cases in England; but it had never been put in motion in Ireland. He might remind the House that when that Statute was first passed, a man named Hill was hanged under it, for what was termed "Approaching the Royal power." They were now going to have a new Court of High Commission in Ireland; and if Parliament conferred upon that Court of High Commission such powers as were conferred upon the Court of High Commission in the time of Edward III., enabling it to hang men who were guilty of "Approaching the Royal power," Mr. Clifford Lloyd would be very summarily disposed of, for not only had he approached Royal power, but he had been the Legislature and the Executive also. As they were going to do away with trial by jury in Ireland, he should not be sorry if, in the course of their revival of the old feudal laws, they would revive the ancient Court of High Commission, with power to deal effectually with all persons who were guilty of approaching the Royal power in Ireland. He was not surprised that a wide feeling of discontent should have been spread all over Ireland at the tyrannical and unconstitutional acts of Mr. Clifford Lloyd. If everything Mr. Clifford Lloyd insisted upon were carried out, the Irish peasant would have no place at all upon which to lie his head. Nothing could be more sad and deplorable than the position in which the people of Ireland were placed by the arbitrary course pursued by this magistrate. A distinct legal challenge had been thrown down to the Law Officers of the Crown by his hon. Friend the Member for Tipperary (Mr. Dillon); but no one rose to justify the conduct of Mr. Clifford Lloyd. Neither Statute, nor decision of a Judge, nor principle of law had been or could be cited to justify his conduct; and he (Dr. Commins) sincerely hoped that in such a state of things some immediate steps would be taken to impose a check upon his proceedings. He would suggest that the Chief Secretary to the Lord Lieutenant should issue orders that in future nothing should be done in Ireland by any magistrate or person in authority except in accordance with due process of law. The great protection to the liberty of the people in England was that no one could act autocratically, but that the law must be put in force according to certain forms which were thoroughly well understood. If a person were accused of crime, or even only suspected of it, he was at once brought before a judicial tribunal, and some kind of legal procedure, in a prescribed form, was gone through. Every step that was taken had to be justified by Statute, and every charge of criminality had to be brought under judicial cognizance, and fairly tested. It was not so in Ireland. In that country all the formality of law was dispensed with, and they had in existence a course of procedure which was not justified by any Statute whatever. Under these circumstances, he thought it was the bounden duty of the Executive to prohibit such arbitrary acts as those which had been adopted by Mr. Clifford Lloyd until some clear legal decision was obtained upon the matter. He would strongly press upon the right hon. Gentleman the Chief Secretary for Ireland the necessity of issuing an interim order to Mr. Clifford Lloyd, directing him to confine himself to the ordinary and well-understood process of law, and not to convert himself into legislator, magistrate, policeman, bailiff, and Judge—the whole law, from the Legislature down to the lowest legal functionary, all rolled into one single individual, and producing great heart-burning and the widest discontent wherever he showed his face.

Mr. T. A. DICKSON said, he hoped the hon. Member for Tipperary (Mr. Dillon) would withdraw his opposition to this Vote, and allow it to be taken that night. He thought, after what the right hon. Gentleman the Chief Secretary had said, that he would inquire into the matter when he went to Ireland, it was unfair to attempt to put further pressure upon him. He (Mr. Dickson) had no doubt that the whole question would receive the personal attention of the right hon. Gentleman in his approaching visit to Ireland. He thought he was entitled to speak upon the subject, because he had been by no means favourably impressed with Mr. Clifford Lloyd's administration of the law in Ireland. He never had been an admirer of that gentleman. He had always looked upon him as an overbearing, tyrannical magistrate; but as the Chief Secretary had promised to inquire into matters personally when he went to Ireland, it would be wrong to carry the subject further to-night, especially when it was remembered that there would be a dozen other opportunities for raising the question again in the course of the Session. He therefore appealed to the hon. Member for Tipperary to withdraw his opposition to the Vote.

Mr. REDMOND said, the hon. Member who had just sat down (Mr. Dickson) had made an appeal to his hon. Friend the Member for Tipperary (Mr. Dillon) to withdraw his opposition to this Vote, on the ground that there would be other opportunities before the close of the Session for raising a discussion upon the matter. The hon. Member made the same mistake as that which had been made by the right hon. Gentleman the Chief Secretary. While both of them seemed to acknowledge the importance of the matter, neither of them seemed to be impressed with the intense urgency of it. This was not the case of a grievance which could be left over for weeks, until a more favourable opportunity arose for discussing it. They could not procrastinate it, because the lives of the unfortunate people concerned depended upon what was done by Her Majesty's Government in the course of the next few days. At the present moment there were from 30 to 40 families turned out upon the roadside, without shelter, on account of the action of this magistrate; and yet the Irish Members were told, in the face of facts like that, to postpone the consideration of the matter until a more convenient opportunity. Already one of these unfortunate persons had died in consequence of the action which had been taken. Were they to postpone the consideration of the matter until others should have died from exposure? It was simple mockery to ask for the postponement of the question until a more convenient opportunity. The reason given was that the right hon. Gentleman the Chief Secretary was in an unfortunate position; that he was new to the Office; and that he did not know what was going on in Ireland. No doubt that was an unfortunate position; and if the right hon. Gentleman appealed to the Attorney General for Ireland, he was not likely to obtain much information, seeing that the right hon. and learned Gentleman on a recent occasion, to the intense surprise of the Irish Members, informed them that he knew absolutely nothing about the matter at all. He admitted that there was some allowance to be made for the want of information possessed by the right hon. Gentleman the Chief Secretary; but the matter was of such deep importance that he ought to give some assurance that it would be the first thing he would attend to when he went to Ireland; and he (Mr. Redmond) hoped that the right hon. Gentleman's visit would not be long delayed. It was not sufficient for the right hon. Gentleman to say that he would attend to it in a week or a month. It required immediate action by telegraph within the next 24 hours, and an assurance on the part of the right hon. Gentleman that the result of his telegraphing had been to curb the tyrannical and illegal proceedings of Mr. Clifford Lloyd, and to secure that these unfortunate people were provided with adequate shelter and saved from starvation. The vague and general statement made by the right hon. Gentleman was eminently unsatisfactory; and he sincerely hoped the right hon. Gentleman might be able to give the House an assurance such as that which had been indicated by the hon. Member for Wexford (Mr. Healy). In order that the right hon. Gentleman might have an opportunity of giving such an assurance, he would move that the debate be now adjourned?

Mr. SPEAKER asked if any hon. Member seconded the Motion?

Mr. R. POWER said, he would second it.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Redmond.*)

Mr. TREVELYAN said, he had already promised that when he went to Ireland he would inquire into the matter; and he certainly considered it one of the most important matters he could inquire into. Short of that he should be satisfied with the decision of the highest authorities in Ireland, unless that decision was contradicted by evidence which he was able to obtain by personal investigation. So much had he been impressed with the importance of the subject that, after turning to it once or twice in a letter he had written that morning, he had come to the conclusion that the matter was one which deserved and demanded personal inquiry at his hands.

Mr. REDMOND said, he hoped the right hon. Gentleman would consider the question of time.

Mr. TREVELYAN replied that no time would be lost, because an inquiry had already been set in motion.

Mr. REDMOND appealed to the right hon. Gentleman to allow the huts to be erected at once, in order to afford shelter, and to save the lives of the poor people from exposure.

Mr. LEAMY asked if Mr. Clifford Lloyd had only acted on what he called his reasonable suspicion that the huts were erected for the purpose of intimidation? If that were so, then he appealed to the Chief Secretary to the Lord Lieutenant as to whether he would not at once telegraph to Mr. Clifford Lloyd to allow the evicted families to go into the huts, and in case he believed they were going to intimidate anybody, to have them brought before the magistrates. It was intolerable that evicted tenants were to be refused shelter merely because Mr. Clifford Lloyd thought they might intimidate someone. He asked, further, whether the carpenters had been imprisoned under the Coercion Act or under the ordinary law? If it was under the former, he thought they should, at least, try what the ordinary law would do with them. With regard to the Motion for the adjournment, he thought his hon. Friend would be quite right in persisting in dividing the Committee, in order to bring this matter to a speedy settlement; for it was very hard that they should be compelled over and over again to raise this question. It had been said that these evicted persons had some interest in outrages; but he ventured to say there was no man in Ireland more interested in the continuance of outrages than Mr. Clifford Lloyd, because if they ceased his occupation would be gone. Did hon. Members know that Mr. Lloyd was drawing some £1,600 or £1,700 a-year? He was nearly as expensive to the country as the Prime Minister. His interest was, therefore, that outrages should continue, and that he should lead the Government to believe that the country was in a disturbed state, and that these people were engaged in intimidation and breaking the law. It seemed to him almost needless to say that this man ought not to be allowed to prevent these evicted persons using the shelter provided for them; and that the Chief Secretary to the Lord Lieutenant should at once direct him to allow them to go to their homes, and that if he could get any evidence against them it should be produced in open Court.

Mr. DILLON said, he was perfectly willing to accept the assurance given by the right hon. Gentleman the Chief Secretary to the Lord Lieutenant. But, in saying that, he was bound to point out two things. First of all, the right hon. Gentleman appeared to have misunderstood him in thinking that he laid no stress on the question of raising these huts. The question was perfectly clear and simple. Were the Government prepared to state that they would, under no circumstances, prevent the housing of an evicted tenant wherever they could get permission from the occupier of the land? Secondly, he wished to point out that he should be obliged, however reluctantly, and, perhaps, at the expense of some irregularity, to force this question again on the attention of the House, unless, on Thursday next, he received a satisfactory answer to his question.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Resolution *agreed to.*

IRISH REPRODUCTIVE LOAN FUND ACT (1874) AMENDMENT BILL.—[Bill 133.]

(*Mr. Blake, Colonel Colthurst, Colonel Nolan, Mr. O'Shea, Mr. O'Connor Power, Mr. E. Collins.*)

COMMITTEE.

Order read, for resuming Adjourned Debate on Question [9th May], "That Mr. Speaker do now leave the Chair."

Debate *resumed.*

Main Question put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 3, inclusive, *agreed to.*

Clause 4 (Recovery of loans. Summary powers.)

Amendment proposed, in page 2, line 9, to leave out the words "they may be," in order to insert "from whatever time they may have accrued."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clauses 5 and 6 *agreed to.*

Preamble *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Thursday.*

COUNTY COURTS (IRELAND) BILL.

(*Mr. Findlater, Mr. Givan, Mr. Patrick Smyth, Mr. Thomas Dickson.*)

[Bill 169.] CONSIDERATION.

Order for Consideration, as amended, read.

Mr. HEALY said, he did not intend to offer any opposition to the Bill; but he submitted that it would have been better had the Amendments about to be moved been on the Paper.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) pointed out that the only important Amendment was that which related to appeals. There had been an omission in not providing in the Bill for the appeal in cases from the Recorder's Court in Dublin; and it was therefore now proposed that the Court to which those appeals should be made should be the same as that which existed at present. The other three Amendments were formal.

MR. WARTON rose to Order. He wished to know whether these Amendments ought not to be printed?

MR. SPEAKER: I observe, on looking at the Amendment upon the Paper handed in by the right hon. and learned Gentleman, that there is one new clause, if not more; I must therefore point out that these cannot be entertained by the House without Notice.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Arthur O'Connor.*)

Motion *agreed to.*

Consideration, as amended, *deferred* till *Thursday.*

POOR LAW GUARDIANS (IRELAND) BILL.—[BILL 7.]

(*Mr. Leahy, Mr. Gray, Mr. O'Sullivan.*)

COMMITTEE. [*Progress 9th May.*]

Bill *considered* in Committee.

(In the Committee.)

MR. WARTON pointed out that there were a number of Amendments to this Bill on the Paper; and as it was perfectly impossible to deal with them properly at that hour of the morning (4 A.M.), he should move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Warton.*)

MR. O'SULLIVAN remarked, that this Bill had been supported by Her Majesty's Government, and almost unanimously by hon. Members. There was nothing whatever of a contentious character in the 11 Amendments on the Paper, which could, therefore, be settled by about 10 minutes' discussion. Under the circumstances, he hoped the hon. and learned Member would not press his Motion to report Progress.

Question put.

The Committee *divided:* — Ayes 24; Noes 30: Majority 6. — (Div. List, No. 94.)

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Sir Hervey Bruce.*)

MR. COURTNEY pointed out that the Bill was in progress, and could be taken up any night. He, therefore, put it to hon. Members that, instead of going to a division on a question in respect to which there was a good deal to be said, they should consent to the withdrawal of this Motion, and then report Progress.

MR. GRAY said, that as he had been in charge of this Bill for some years he would appeal to the hon. Member for Limerick (Mr. O'Sullivan) to accede to this suggestion. He certainly should not be desirous of pressing too hardly on the Government, as they had shown every disposition to be friendly to this Bill. He would advise the hon. Member to agree to report Progress, and put the Bill down again for to-morrow night, with the hope that the Government would be able to give a further opportunity of considering it.

Motion, by leave, *withdrawn.*

Committee report Progress; to sit again *To-morrow.*

MOTIONS.

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (NO. 4) BILL.

On Motion of Mr. SOLICITOR GENERAL for IRELAND, Bill to confirm a Provisional Order of the Local Government Board for Ireland relating to Waterworks in the town of Queenstown, *ordered* to be brought in by Mr. SOLICITOR GENERAL for IRELAND and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 173.]

LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 9) BILL.

On Motion of Mr. HIBBERT, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Improvement Act Districts of Fleetwood and Rhyl, and the City of York, *ordered* to be brought in by Mr. HIBBERT and Mr. DODSON.

Bill *presented,* and read the first time. [Bill 174.]

House adjourned at Four o'clock in the morning.

HOUSE OF COMMONS,

Tuesday, 23*rd May*, 1882.

The House met at Two of the clock.

MINUTES.] — Public Bills — *Resolution in Committee* — Prevention of Crime (Ireland) [Allowances and Expenses].

Ordered — First Reading — Local Government (Ireland) Provisional Orders (No. 5) * [175]; Metropolitan Board of Works (Money) * [176]; Aldershot Camp Roads * [177]; Quarter Sessions Procedure (Amendment) * [178].

Second Reading—Local Government Provisional Orders (No. 4) * [159]; Local Government Provisional Order (Artizans' and Labourers' Dwellings) * [162]; Arrears of Rent (Ireland) [163].

Select Committee—Artillery Ranges * [125], Mr. Acland *discharged*, Mr. Brown *added*.

Report—Partnerships * [No. 204]; Parochial Charities (London) * [No. 205].

Committee—Prevention of Crime (Ireland) [157], *debate adjourned;* Local Government Provisional Orders (No. 2) * [145], *discharged*.

Committee—Report—Poor Law Guardians (Ireland) [7].

Considered as amended—Local Government Provisional Orders * [131]; Local Government Provisional Orders (Poor Law) * [130].

QUESTIONS.

CRIMINAL LAW (SCOTLAND)—POLLOCKSHIELDS PUBLIC SCHOOL.

Dr. CAMERON asked the Lord Advocate, Whether any investigation was ordered by the Crown Office into the circumstances connected with the recent fatal fall of a shed at Pollockshields Public School, near Glasgow; whether any report on the occurrence has yet been received; and, if so, whether, considering the public interest of the subject, he would have any objection to lay it before the House?

The LORD ADVOCATE (Mr. J. B. Balfour), in reply, said, that a searching inquiry was at once instituted into the causes of this accident, and was still being continued. As it would probably result in a criminal trial, it would not be expedient, for the ends of justice, that a confidential Report sent by the Procurator Fiscal to the Crown Office should at present be made public.

POST OFFICE—STAFFORD POST OFFICE.

Mr. M'LAREN asked the Postmaster General, Whether he has considered any representations made to him on behalf of the mail porters and stampers of the Stafford Post Office, with a view to extending their prospect of promotion, and adjusting their extra allowances on the footing of Birmingham and Liverpool; and, whether there is any reason for the delay which has taken place, owing to which none of the Stafford Post Office officials have yet received their pay for extra hours on Christmas Day, New Year's Day, and St. Valentine's Day last?

Mr. FAWCETT: Sir, the question of the pay and position of the mail porters and stampers at the Stafford Post Office is part of a much larger question of the pay and position of officers generally of a similar grade—a subject which, as I stated yesterday, is now under consideration. With regard to the second portion of the Question of my hon. Friend, I regret that, owing to some negligence on the part of the local authorities, the claims for extra duty performed at the Stafford Post Office on Christmas Day, New Year's Day, and St. Valentine's Day have not yet been settled. I have now given directions that they shall be paid immediately.

COOLIE (INDIAN) EMIGRATION TO LA REUNION.

Mr. CROPPER asked the Secretary of State for India, Whether the emigration of Coolies from India to Réunion has been stopped; and, if so, at what date?

The Marquess of HARTINGTON: Sir, the emigration of Coolies from India has not yet been actually stopped, although such stoppage has for some time past been under consideration, the position of the question being very far from satisfactory. The position, briefly stated, is this. Negotiations have long been in progress for the revision of the Convention, and for the purpose of making proper provision for the protection and well-being of the Coolies. With this object a Commission has met in Paris to arrange a basis of a revised Convention; and last year the French Government prepared a *projet de décret*, containing a statement of their views and the concessions which they were willing to make. This, after being reported on by the British Commissioners, was transmitted to the Government of India. As negotiations have thus been actually going on, emigration has been allowed to continue up to the present time. We have only very recently received a despatch from the Government of India, giving in detail their views on the *projet de décret.* They consider it indispensable that, on certain points, further concessions should be made, and, failing these, that emigration should be stopped. The despatch, I need hardly say, is receiving the most careful consideration.

LAW AND JUSTICE (IRELAND)—MR. LEFROY, COUNTY COURT JUDGE FOR DOWN.

MR. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been drawn to an article in the "Newry Reporter" of the 27th ultimo, in which great complaints are made of Mr. Lefroy, County Court Judge for Down, and if he will make inquiry into the charges?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON), in reply, said, he had communicated with the learned Judge, but was not yet in a position to report to the House.

MR. BIGGAR intimated that he would repeat the Question.

CRIMINAL LAW—MICHAEL DAVITT.

MR. GORST asked the Secretary of State for the Home Department, Whether his attention has been called to a speech of Mr. Davitt, reported in the "Standard" of May 22nd, in which Mr. Davitt is reported to have said,

> "That he was at present out under the conditions of a ticket-of-leave, which conditions he treated with the same contempt as he did three years ago. In fact he had already broken them, and the last he saw of that most interesting document was to see it secured by a member of the press two hours after his discharge from Portland, and where it was now he had no knowledge;"

and, what steps he proposes to take to prevent other persons at liberty on ticket-of-leave from imitating the example thus set of open and contemptuous defiance of the administration of the Law?

SIR WILLIAM HARCOURT: Sir, my attention has been called to this matter. I have seen several reports of this speech, and I find that none of them correspond—at least, with regard to this particular passage. I need not point out that, before taking any serious action in cases of this kind, it is extremely necessary that we should have an authentic report of what has passed. But what ought we to look at in this matter? We ought to look a good deal more at what is done than at what is said. Now, I wish to call attention to what is alleged. Supposing this to be a correct report, what is alleged on the part of Davitt? He says that he had treated the conditions of his ticket-of-leave with the same contempt that he did three years ago—that was, when he first received the licence. Well, I was not responsible at that time. It was under the late Administration; and, therefore, what he alleges is, that he has now done what he did then, and which certainly at that time my Predecessor in Office thought did not call for interference. That is the only distinct allegation that I can find in this speech. But I wish to say that no rhodomontade of this kind in the least affects the position of a person holding a licence. Whatever he may say, he remains subject to the conditions of that licence; and if he should violate the conditions on which he is at large—that is, to respect the law and to do nothing injurious to peace and order—such a licence in any case, to any person, is revocable, and would be revoked.

MR. GORST: Would the right hon. and learned Gentleman state whether the conditions of Mr. Davitt's ticket-of-leave were the ordinary conditions; or, whether there was anything peculiar about them?

SIR WILLIAM HARCOURT: They are absolutely the ordinary conditions. There is nothing peculiar about them.

MR. JOSEPH COWEN asked if it was not the fact that Mr. Davitt received a ticket-of-leave such as was presented to any ordinary man; but the conditions were such that it was quite impossible for Mr. Davitt or any political prisoner to fulfil them; and, whether both the present and the late Government had not recognized the impossibility of their fulfilment? For instance, there was the condition, among others, that the holder of the ticket was not to be out after 8 o'clock at night, and that he should comply with certain police regulations. The late Government absolved the Fenian prisoners from that condition, and he understood the present Government were willing to absolve Mr. Davitt from the same provision. He wished to know if Mr. Davitt had not fulfilled the same conditions that were asked from the political prisoners of three years ago and six years ago?

SIR WILLIAM HARCOURT: Sir, the hon. Member seems to know a good deal more about this matter than I know. All I know is this—that, as far as I am concerned, all that happened was that he received the ordinary ticket-of-leave; that there were no conditions of any kind made or absolved; and that the transaction was exactly the same as in the case of any other convict, and that there was no understanding of any kind as to the relaxation or duration of any condition.

STATE OF IRELAND—THE AFFRAY AT BALLINA.

MR. O'CONNOR POWER asked Mr. Attorney General for Ireland, What steps he intends to take in reference to sub-inspector Ball, and those responsible for the action of the police in the recent affray at Ballina?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON), in reply, said, that he was informed that the inquest which was to have been held yesterday in this matter was postponed owing to the non-attendance of jurors. He would therefore postpone stating what steps it was intended to take, pending the result of the inquest.

MR. O'CONNOR POWER asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Government propose to give any compensation to the family of the youth, Melody, who has died from the wounds inflicted upon him by the police in the recent affray at Ballina; and, whether the families of other children who have been seriously wounded will also receive compensation?

MR. TREVELYAN: Sir, we only heard yesterday by telegraph of the death of this poor boy. I shall have inquiry made as to the position in life of his parents, and if I find it a proper case, will submit it to His Excellency the Lord Lieutenant with a view to some compensation being awarded to them. As the remainder of the Question relates to a subject which will form the matter of a judicial inquiry, I think it better to postpone any further answer for the present.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MRS. MOORE, MISS KIRK, AND MISS O'CONNOR.

MR. LABOUCHERE asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that Mrs. Moore, Miss Kirk, and Miss O'Connor, who have been sentenced to various terms of imprisonment, under an ancient Act, for alleged intimidation, by different stipendiary magistrates, are kept in solitude for above twenty-three hours out of the twenty-four; and, whether the time has arrived when, in the interests of the peace and tranquillity of Ireland, these ladies should be restored to their friends?

MR. TREVELYAN: Sir, the ladies named in this Question have been committed to prison in default of finding bail, and are treated in exact conformity with the prison rules. According to the rules for "bail prisoners," they are allowed two hours for exercise daily, and are, therefore, in their cells for 22 out of the 24 hours. They can at once return to their friends on tendering the requisite sureties.

EGYPT (POLITICAL AFFAIRS).

MR. G. W. ELLIOT asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government, with or without the consent of any other Power, have taken any, and, if so, what steps to secure the freedom of the Suez Canal?

SIR CHARLES W. DILKE: Sir, I regret that I am unable to add anything to what I said on this subject yesterday, when I informed the House that the matter had had immediate attention at the hands of Her Majesty's Government.

SIR WILFRID LAWSON asked the Under Secretary of State for Foreign Affairs, Whether the British ironclads have been sent to Alexandria for the purpose of protecting the lives and property of Her Majesty's subjects, or for the purpose of intervening in the affairs of Egypt; and, if the latter, whether the

House of Commons will have an opportunity of expressing its opinion on this policy of intervention before hostilities are permitted to be commenced?

SIR CHARLES W. DILKE: Sir, the Fleet was sent to Alexandria to protect life and property; and we hope that its presence will contribute, without the employment of force, to the maintenance of the *status quo* in Egypt, of the Sovereignty of the Sultan, of the position of the Khedive, and of the liberties of the Egyptian people, as well as to the prudent development of their institutions, and to the observance of the international engagements of Egypt. While I cannot admit that the present situation is such as the hon. Baronet seems to imply, I must, on general principles, decline to give an answer to the second portion of his Question.

SIR WILFRID LAWSON: Will my hon. Friend inform the House whether any orders have been given to the Fleet to use force to bring about all those objects he has described?

SIR CHARLES W. DILKE: I can make no further reply.

IRELAND — IRISH POLICY OF THE GOVERNMENT — RELEASE OF MR. PARNELL AND OTHERS.

SIR H. DRUMMOND WOLFF asked the First Lord of the Treasury, Whether, considering the great interest excited by a recent political incident, he will consider it possible to lay upon the Table the letter already cited in debate addressed by him to the late Chief Secretary to the Lord Lieutenant on learning the contents of the letter addressed by the honourable Member for Cork to the honourable and gallant Member for Clare, and the result of the conversation held by those two honourable Members at Kilmainham?

MR. GLADSTONE: Sir, I am obliged to the hon. Gentleman for having postponed his Question until to-day. I have had an opportunity of considering the matter with my Colleagues, as it involves a point of delicacy; and our opinion is that a precedent for producing a letter of a confidential character, written between Colleagues in the Cabinet, would be one of great inconvenience, and so uncompensated for by any advantage or any addition to the real means of judgment possessed by the House, that we cannot agree to produce the letter asked for. The hon. Gentleman may fairly say—"Why did we cite it?" I need not say, of course, that in citing that letter I cited everything that related to the particular point touched on—namely, the reference by the hon. Member for the City of Cork (Mr. Parnell) to the possibility of his being, at some undefined period, in connection with the Liberal Party. The ground taken up by the Government in the whole of this business, as the House may remember, has been this—it has been no part of our duty to produce Papers in relation to the subject at all. What was our duty was to make up our minds whether, under the terms of the Protection of Person and Property Act, there was a reasonable suspicion of a certain tendency on the part of certain persons, with reference to certain intentions under the terms of the Act. The House has never interfered with our responsibility as regards the operation of putting these Gentlemen in prison; and we were not aware of any reason, in the absence of any Motion on the subject, why we should court the House as to its participation in our responsibility on the subject of letting Gentlemen out of prison. The other part of the letter referred to a difference of opinion between myself and the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster); and it appears to us that we are rightly exercising our discretion in declining to produce it for the reasons I have stated. But the letter which was read by the hon. Member for the City of Cork (Mr. Parnell), and which he had addressed to the hon. Member for Clare (Mr. O'Shea), contained references to matters outside the Protection of Life and Property Act —namely, the question of this possible relation to the Liberal Party—[LORD JOHN MANNERS: The question of arrears.] There was nothing about arrears. There was nothing cited by me about arrears at all. The reference was exclusively to the relation to the Liberal Party. That was a matter wholly outside the subject of discussion, and I own it did appear to me that the House had a perfect right to know what passed—that the intimation on the part of the hon. Member for the City of Cork was received by me. I believed it, therefore, only due to the House that I should cite the words in which I referred to it. That was the reason why I made that citation. The citation was perfect and absolute as far as it went. The remainder of the letter refers to matters that took place between the prisoners and me when different views arose between us; and there is no rule which applies to the production of personal Correspondence of that nature. We think that public incovenience would result from such production uncompensated by any advantage to the public.

SIR H. DRUMMOND WOLFF said, he wished to explain that he had based his Question on the precedent of the publication of the Correspondence which took place when Lord John Russell's Government left Office in 1851.

SCIENCE AND ART—THE ORKNEY SAGAS.

MR. THOROLD ROGERS asked the Secretary to the Treasury, Why the publication of the Orkney Sagas in the Rolls Series has been delayed for six years after Dr. Vigfusson, the editor, has passed the sheets for publication; why Dr. Vigfusson, the author of the great Norse English Lexicon, was not entrusted with the translation of his own work, his translation having been put into the hands of Sir George Dasent, one of the Civil Service Commissioners; and, what, in the apportionment of the Parliamentary Grant for the above-named work, have been the sums paid respectively to Dr. Vigfusson and Sir George Dasent?

MR. COURTNEY: Sir, I have communicated with the Master of the Rolls upon this subject, and he has been good enough to furnish me with the facts of the case. Sir George Dasent, and not Dr. Vigfusson, was the original, and is now the principal, editor of the *Orkney Sagas*. Dr. Vigfusson was associated with him at a later date for the special purpose of furnishing the Icelandic text. This will explain how the duty of translation naturally falls to Sir George Dasent. I may add that in 1874, when Dr. Vigfusson was engaged, it was considered a doubtful matter whether his knowledge of English was sufficient to make it possible to employ him as a translator. The work has been delayed partly owing to the illness of Sir George Dasent, and latterly by the delay on the part of Dr. Vigfusson in giving certain information which he alone can furnish; but there is hope that the work will be completed before long. Both gentlemen are paid for their work at the approved rates. Dr. Vigfusson has received £474 2*s*., and Sir George Dasent £250 on account of the work now in hand.

MOTION.

PARLIAMENT — BUSINESS OF THE HOUSE—ARRANGEMENT OF PUBLIC BUSINESS—THE DERBY DAY.

MOTION FOR POSTPONEMENT OF ORDERS OF THE DAY.

MR. CHAPLIN said, he wished to put a Question of some interest to the Prime Minister in reference to a Motion which he (Mr. Chaplin) had put upon the Paper—"That this House, at its rising, do adjourn until Thursday." He was very far from being insensible to the important consideration which the right hon. Gentleman had urged in favour of taking the very unusual course of putting down Government Business for to-morrow, which he need scarcely remind the House was Derby Day. What he wanted to know and what he felt sure there was a deep interest on the part of the House to ascertain was, that it was not to be taken as an annual precedent, and whether it was to be understood that in future the Government would not put down Government Business for Derby Day? On a distinct assurance of the right hon. Gentleman to that effect, he would not be disposed to proceed with the Motion he had put upon the Paper. He hoped such an assurance would be given.

MR. GLADSTONE, in reply, said, there was no intention whatever of creating any precedent, by the course the Government proposed to take to-morrow, which could possibly interfere with the discretion which the House had been accustomed to exercise with regard to the disposal of that particular day. That, he hoped, would be satisfactory to the hon. Gentleman. And now he thought he might proceed to move the Motion of which he had given Notice with regard to the course of Business. He was very desirous not to vary at all from any engagement he had made with the House with regard to the course of Public Business. He stated yesterday that it was his intention that day to ask that the several stages of the Prevention of Crime Bill should have precedence on each day—that it should be put down until the House should otherwise order. He also stated that it was not his intention to make any such Motion with regard to the Arrears of Rent Bill at that time, because it appeared to him to be a simple measure that did not call for a Motion of that kind. Late in the evening, when it was announced that the Government would ask the House to proceed with the Arrears of Rent Bill that day, it became necessary to alter the Notice of Motion in order to give it precedence, otherwise the Prevention of Crime Bill would take precedence by force of the Resolution. But, owing to a mistake of his, the alteration was made wider than was intended, and in order to bring it into exact correspondence with what he stated yesterday, he would move to insert certain words. The Motion would then be to the effect that the several stages of the Bills he had referred to would have precedence of all Orders of the Day and Notices of Motions, from day to day, until the House should otherwise order.

Motion made, and Question proposed,

"That the several stages of the Prevention of Crime (Ireland) Bill and the Adjourned Debate on the Second Reading of the Arrears of Rent (Ireland) Bill, have precedence of all Orders of the Day and Notices of Motions, from day to day, until the House shall otherwise order."—(*Mr. Gladstone.*)

MR. DILLON said, he felt bound to protest most urgently against the Prime Minister's proposal. For some few days past he (Mr. Dillon) had listened to reiterated statements, which to some extent seemed to be accepted on all sides, that a connection of some nature existed between the Prevention of Crime Bill and the Arrears of Rent Bill. It had, in fact, been stated on high authority that they formed parts of one and the same policy, of one and the same whole, and could not be divided; but he (Mr. Dillon) thought no further time should be lost in stating that the Representatives of Ireland—at least those who sat on those (the Opposition) Benches—could not acquiesce in any such declaration of policy. The Prevention of Crime Bill, as a Bill, must stand on its own merits; and if the Head of Her Majesty's Government was under the impression that Irish Members were going to sell the liberties of the Irish people and consent to the passage of a fresh Coercion Act in return for such a measure as the Arrears of Rent Bill, the sooner that impression was cleared away the better. The Arrears of Rent Bill might be for the benefit of the tenants; but, whether it was a benefit or not, whether it was just or unjust, it was a measure which must also stand entirely on its own merits, and it had nothing whatever to do with the passage of another Bill, or the Prevention of Crime Bill. With regard to the Prevention of Crime Bill, it was right that he should state at that time, that whatever use they might hope to obtain for the Irish tenants from the Arrears of Rent Bill—and he believed that they might have got a great deal of use if the Government had dropped the policy of coercion—the Prevention of Crime Bill would, in his opinion, entirely rob them of all the promised good to the Irish people which they had expected from the Arrears of Rent Bill. Therefore, he wished it to be distinctly understood that, in the minds of Irish Members, there could be no connection whatever between the two Bills on their side. It was their duty to protest, by the most emphatic means in their power, against a Motion which took up the entire time of the House, to the postponement of a very valuable and useful piece of legislation, for the benefit of a Bill which was neither useful nor necessary, but which was calculated to destroy any effort made for the benefit of the Irish peasantry, and to do what the House had been already warned by a leading Member of the Tory Benches (Lord George Hamilton) it would do—to land them on the threshold of another social struggle in Ireland.

MR. JUSTIN M'CARTHY said, he entirely acquiesced in what had fallen from the hon. Member for Tipperary (Mr. Dillon). So far as he (Mr. Justin M'Carthy) and his hon. Friends were concerned, he felt bound to say that they were not disposed for one moment to entertain the idea that they were making an exchange between the Arrears of Rent Bill and the Coercion Bill—that because they were getting a Bill they believed to be fair and just, they were going to submit to the passing of a measure which they believed to be highly unfair, unwise, and unjust. The Prime Minister had spoken of the two Bills; but he (Mr. Justin M'Carthy) observed that the terms they had used had not placed them upon an equality, as the right hon. Gentleman proposed to take the successive stages of the Prevention of Crime Bill one after the other, whereas he only yielded one stage in favour of the Arrears of Rent Bill; therefore, the two measures were not based upon equal terms, but coercive was given the advantage over remedial legislation. He (Mr. Justin M'Carthy) had no hesitation in saying that he was quite resolved to oppose in every legitimate way the passing of the repressive legislation, which he believed would not be to their advantage, but greatly to their disadvantage, tending, as it was, rather to promote and stimulate crime than to repress it.

Mr. LABOUCHERE said, that as it was perfectly legitimate for hon. Members to prefer one Bill before the other, he would like to know whether the two measures were to go hand-in-hand together; and whether, as soon as the Prevention of Crime Bill was passed, the Prime Minister intended with all due speed to pass the Arrears of Rent Bill through the subsequent stages; and, should that spirit of obstruction, which they had noticed on the previous night, be again manifested, whether the Prime Minister had it in contemplation to make a similar Motion with regard to the subsequent stages of the Arrears of Rent Bill as he had made with regard to the other?

Mr. GLADSTONE said, he could assure hon. Gentlemen opposite that it was not his intention to entrap any person who was favourable to the Arrears of Rent Bill into a support of the other Bill, any more than it was his intention to entrap those favourable to the Prevention of Crime Bill into supporting the Arrears of Rent Bill. The two Bills were absolutely distinct, and hon. Members could support or oppose both, or support one and oppose the other. All he said was that in the Ministerial mind they were part of one and the same policy. The effect of the Motion he had now made was simply to give precedence on every day upon which it might be set down to the Prevention of Crime Bill over every other Order of the Day, and it gave the like precedence to the adjourned debate upon the second reading of the Arrears of Rent Bill. But no similar precedence was given to the Arrears of Rent Bill beyond the debate on the second reading. He would not describe the contingency sketched by his hon. Friend the Member for Northampton (Mr. Labouchere) in the same terms as his hon. Friend had used. His hon. Friend, as he said last night, was "a peace-maker by profession." But he (Mr. Gladstone) would say that should there be developed in the course of the Arrears of Rent Bill a considerable number of points requiring discussion, or should it appear that many debates would be required, so that if any serious difficulty arose about the time occupied in passing the Bill, it would then be his duty to ask the House to give the Arrears of Rent Bill the same kind of precedence as he was now asking for the Crime Bill.

Mr. HEALY said, the Irish Members could not consent to the Prevention of Crime Bill having precedence over the remedial measure; and he would therefore propose, as an Amendment, the omission from the Prime Minister's Motion of the words "the Prevention of Crime (Ireland) Bill," and thus restricting its operation to the Arrears of Rent Bill, and placing it in its proper position by giving it precedence. He wished to know whether the Government intended to push on the third reading of the Prevention of Crime Bill before any other stage of the Arrears of Rent Bill than the second reading was taken? If so, that was a point on which there would be considerable difference of opinion. The Tories would oppose the Arrears of Rent Bill to the best of their ability. They made a very skilful point last night when they contended that the tenant's interest in a farm should be considered a portion of his assets, and should be sold out before any loan or gift was granted him by the State, and they drew from the Prime Minister the reply that it was a matter of consideration in Committee. Of course, that might be used as an admission of the justice of the suggestion, although he believed the Prime Minister had no intention whatever of making the admission. But they knew what pressure could be put upon a Government, especially when a strong Party amongst their own supporters helped them to yield. They knew what happened to the Compensation for Disturbance Bill. The Government, with the best intention, brought in a certain Bill and then modified it. The same thing occurred with the Land Bill. If "Parnell's Clause" had been passed, there would have been no necessity for this Arrears of Rent Bill. Therefore, he wanted a definite understanding from the Government on this occasion, and to give them an opportunity he moved his Amendment.

Amendment proposed, to leave out the words "the several stages of the Prevention of Crime (Ireland) Bill and."—(*Mr. Healy.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. GLADSTONE, in reply to the hon. Member for Wexford (Mr. Healy), said, that the question put by him had been previously answered by the statement he (Mr. Gladstone) made on a former day. The hon. Member asked if all the subsequent stages of the Prevention of Crime Bill were to be taken before any proposal was made with regard to the Arrears of Rent Bill? His (Mr.Gladstone's) answer was that so soon as the Arrears of Rent Bill was brought in, it was stated that there might be necessary intervals in the progress of the Prevention of Crime Bill, and that the Government would be anxious to turn those to good account for the Arrears of Rent Bill. It might be convenient, for instance, to have an interval of two or three days, for the purpose of reprinting the Bill with Amendments after going through Committee, and that interval might be utilized for the purpose of pushing on the Arrears Bill. Any opportunity that presented itself, without hindering the progress of the Prevention of Crime Bill, would be turned to account in forwarding the Arrears of Rent Bill.

Question put.

The House *divided*:—Ayes 228; Noes 31: Majority 197.—(Div. List, No. 95.)

SIR GEORGE CAMPBELL said, he wished to remind the House that the Prime Minister had expressed his intention of carrying through the Arrears of Rent Bill in the interstices of the time occupied by the Prevention of Crime Bill. The fact, however, was, and he (Sir George Campbell) regretted to say so, that by the Resolution in its present form, that Bill would have no precedence at all after the present stage. It would be much more simple and fair if the terms of the original Motion were adhered to, and the Resolution was made to read that each of the two Bills throughout their stages should have precedence; and he would therefore move to leave out the words "adjourned debate on second reading of," in order that precedence might be given to both Bills.

MR. STOREY seconded the Amendment.

Amendment proposed, to leave out the words "Adjourned Debate on Second Reading of the." — (*Sir George Campbell.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. JESSE COLLINGS considered that both Bills should be placed on the same footing of urgency. He should, therefore, support the Motion with great pleasure, seeing that it would only be a proper concession to those who were asked to offer no unnecessary obstruction to a measure which would seriously interfere with the liberties of their country. The country would be satisfied if it were shown that the same degree of urgency was intended for the Arrears of Rent Bill as for the Coercion Bill, and it would only be fair to the Irish Members that equal facilities should be given for the passage of a Bill that they believed would go a long way towards restoring peace to Ireland. Experience showed that after they passed Coercion Bills they had little or no guarantee that remedial measures would go through with speed and without being impaired. What had to be made apparent to the Irish Members now was that they could obtain reasonable legislation by reasonable appeals to Parliament, and without having recourse to obstruction. If the arrears legislation preceded by a few weeks the passage of the repressive measures the effect might be very desirable.

MR. GLADSTONE hoped that his hon. Friends would not press the Motion to a division. He would point out the position in which they placed the Government. He had promised last night, and he had confirmed the promise to-day, that they would not ask the House at present to give precedence to the Arrears of Rent Bill. Now, his hon. Friends said that they hoped he would ask the

House at that moment, directly in the teeth of his word, to do that very thing. And why did they take that course? He had distinctly intimated to the House on every occasion, that should it appear that the passage of the Arrears of Rent Bill led to complex debate, he would propose to make that Bill urgent; but not unless it was necessary. But now that Motion was made to insist that, in defiance of his word, he should make that Bill urgent, whether it was necessary to do so or not.

Sir GEORGE CAMPBELL said, he was not aware that the Prime Minister had given a pledge of that kind; but, after that, he had no other course than to ask leave to withdraw his Motion.

Mr. PARNELL: Sir, I may remind the right hon. Gentleman the Prime Minister that the proceedings of last night indicated that there will be some kind of difficulty in the passage of the Arrears of Rent Bill. The opposition then offered to the Bill was of a very unusual kind, and indicated strong intentions on the part of the minority in this House to oppose that Bill, and to endeavour to alter and thwart it in every possible way. Under those circumstances, I think we are entitled to ask the Prime Minister to attach, by accepting the Amendment of the hon. Member for Kirkcaldy (Sir George Campbell) the same importance to one member of the living body as to the other. We do not, of course, desire to interfere with the order of Government Business; but we do think that the Government are entitled to ask and to obtain from the House as many facilities for the passage of their remedial measures as they have obtained for their coercive measures. They have, however, unfortunately, imitated their mistake of last Session, in making coercive precede remedial legislation; but I trust, now that they have the power to do so, that they will obtain some guarantees from the Opposition, controlled by the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote), that this Arrears of Rent Bill will receive fair play at their hands, and that, as they are now asking for the passage of the Coercion Bill, they will afford facilities for the passing of the Arrears of Rent Bill. This is all the more important, because, as I beg to remind the right hon. Gentleman the Premier, the period of redemption is going by in the case of numbers of evicted tenants, and they are being placed without the operation of the law, and, as a consequence, they will be left to their own resources or to whatever other resources may be brought into play on their behalf. I confess I think such a situation would be deplorable, and ought to be very much deprecated and avoided. I have been endeavouring during the last few days to obtain an extension of the period of redemption for evicted tenants; but owing to the enormous block in the Superior Court of the Land Commission, which has power to deal with such applications, it has been found up to the present moment impossible; therefore it happens that the vast number of tenants who, since May, 1880—the period when the present Government assumed Office—have seen all their legal rights depart month by month, is being daily augmented. I would ask the right hon. Gentleman to consider, under these circumstances, whether he would not give some hope to those poor people by showing, as is now in his power to show, that he attaches equal importance to the Arrears of Rent Bill as he does to the Coercion Bill.

Sir STAFFORD NORTHCOTE said, he would point out to the hon. Gentleman the Member for the City of Cork (Mr. Parnell) that the House was now engaged in a Morning Sitting, and that they would have to rise at a fixed hour. An adjournment had been proposed at an early hour that morning to enable them to complete the discussion on the Arrears of Rent Bill; and it was perfectly possible, if they went to work in a business-like way, that they might conclude the debate before the House rose that afternoon at 7 o'clock. But if they entered upon irregular discussions on matters of the kind now before them, there was no saying how that might be. He could assure hon. Gentlemen from Ireland, though, possibly, they might not believe him, that on his side of the House there was no intention to place any unnecessary obstruction in the way of the Arrears of Rent Bill; and if it became fairly necessary to make alterations in the order of Public Business, in order to give more opportunities for its discussion, there would be no objection to that course. What hon. Gentlemen on his side had demanded was, that when they had entered on the discussion it should be allowed to be a full and a fair one. He hoped that time would not be wasted by irregular discussion.

MR. ARTHUR O'CONNOR said, that, in his opinion, so far as it had gone, the discussion which was now going on was a perfectly regular and legitimate one. It would be extraordinary if the Irish Members allowed the Motion of the Premier to pass without challenge. His proposal was nothing more nor less than this—that the House should have free and exclusive scope to coercive legislation of an unexampled kind. The proposed Coercion Bill was the most horrible epitome of blundering despotism ever presented to Parliament, and they were asked to give precedence to it because the Prime Minister found that it suited his convenience to submit to the political dictation of his opponents. They could not, therefore, be expected to acquiesce in the arrangement of procedure then proposed, seeing that as much time as possible should be allowed to pass so that the House might approach the Coercion Bill with the greatest coolness and judgment. That Bill had been admittedly introduced because of the heated state of public opinion in England caused by the horrible occurrence in Phœnix Park, and that was a good reason why time should be taken to allow that heated feeling to subside. The object of the Arrears of Rent Bill was to put a stop to evictions; and he would beg to point out to hon. Gentlemen sitting on that (the Opposition) side of the House that any delay in passing it was not likely to promote the speedy payment of rents. He would, therefore, support the Amendment. So far as he was personally concerned, he should offer the Prime Minister's proposal all the opposition in his power.

SIR GEORGE CAMPBELL again repeated his offer to withdraw the Amendment.

MR. HEALY: No, no!

Question put.

The House *divided:*—Ayes 250; Noes 35: Majority 215.—(Div. List, No. 96.)

Main Question proposed.

MR. PARNELL: I was under the impression, Mr. Speaker, that we were taking a division against the Main Question, which was put before the last division was taken; and, under these circumstances, I desire to accept the division which was taken on this Amendment as the definite judgment of the House upon the present Motion. I do not desire to waste the time of the House by taking a further division upon the Main Question; but I must solemnly protest against the course which the Government have adopted in not affording the same facilities for the passage of the Arrears of Rent Bill that they intend to afford for the passage of the Coercion Bill

MR. O'DONNELL: Sir, I quite appreciate the statesmanlike spirit in which the Leader of the Irish Party (Mr. Parnell) has expressed his opinion upon the question before us; but, at the same time, speaking as an individual Irish Representative, and in no way desiring to be understood as slack in my support of the Leader of the Irish Party, I feel that upon this Motion I, for one, must challenge a division. I cannot take it on my conscience to allow a Motion to pass which proposes merely to give precedence to the adjourned debate on the Arrears of Rent Bill, which, when it passes this House, will be entirely at the mercy of the enemies of Ireland in "another place;" while, at the same time, it proposes to give absolute precedence to every stage of the most atrocious Coercion Bill ever passed for Ireland. I do not wish, in the slightest degree, to question the statesmanlike character of the opinion of the Leader of the Irish Party; but, statesmanlike or not, I hate the action of the British Government, and I will take every means in my power to oppose this Coercion Act, aye, and to make England sorry for it.

MR. ARTHUR O'CONNOR: The hon. Member for the City of Cork (Mr. Parnell) was, as he says, under a misapprehension. He understood that the last division was being taken on the Main Question. But we, who were under no such apprehension, are, of course, not swayed by the same reasons. Therefore, I agree with the hon. Member for Dungarvan (Mr. O'Donnell) in challenging the decision of the House again, and shall vote against the Government on the Main Question.

MR. MOORE: Sir, although not a very warm admirer of the Arrears of Rent Bill, I hope the Government will in some way re-consider the course they have adopted. Ever since the Bill was announced to the House the difficulties between landlord and tenant in Ireland have increased ten times over, and it is most unfair and most unjust to both parties to leave them in the state of uncertainty they are in at present. A landlord told me very lately that, up to the time of the announcement of the present Bill, he had been receiving his rents, but that immediately afterwards he could get nothing. As I said, I do not admire the Bill myself, but I think it is a necessity to enable Her Majesty's Government to carry on the government of Ireland. When such a Bill has been once promised, it is due, as a matter of justice to both classes, that the Bill should be passed without a moment's delay.

Dr. COMMINS: Sir, whilst willing to accept the last division as evidencing the sense of the House in this matter, I must, at the same time, protest most strongly against the course which has been adopted by the Government. The numerous evictions which are taking place in Ireland are the principal causes of crime in that country, and, therefore, if the object of the Government is to put an end to crime, I think they are acting inconsistently in delaying a measure of this kind. At the same time, I should prefer taking the assurance of the Prime Minister that he will do all he can to forward the Bill.

Mr. T. D. SULLIVAN: Sir, if the Government desire to pass an Arrears of Rent Bill for Ireland, I think the only way to secure the passage of such a measure is to give it precedence. If precedence is given to the Coercion Bill, what guarantee have we that we shall have an Arrears of Rent Act at all? The fate of the Compensation for Disturbance Bill awaits the Arrears of Rent Bill in "another place;" and I would impress upon the Prime Minister that if he desires to insure its passage, the only way he could do it is by giving it precedence over the Coercion Bill.

Main Question put.

The House *divided:*—Ayes 254; Noes 15: Majority 239.—(Div. List, No. 97.)

Ordered, That the several stages of the Prevention of Crime (Ireland) Bill and the Adjourned Debate on the Second Reading of the Arrears of Rent (Ireland) Bill, have precedence of all Orders of the Day and Notices of Motions, from day to day, until the House shall otherwise order.

ORDER OF THE DAY.

ARREARS OF RENT (IRELAND) BILL.

(*Mr. Gladstone, Mr. Childers, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

[BILL 163.] SECOND READING.

ADJOURNED DEBATE. [SECOND NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [22nd May], "That the Bill be now read a second time."

And which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient to charge the Consolidated Fund with any payment, except by way of loan, in respect of arrears of rent in Ireland,"—(*Mr. Sclater-Booth,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Sir HERBERT MAXWELL said, it was only owing to what he might call an accident that he was left in the position of having to resume the debate. In the observations he made last night he stated that it was a remarkable fact that no Scotch Member had addressed the House on the subject. He was not oblivious of the fact that the Prime Minister was not only a Scotchman, but that he represented the Metropolitan County of Scotland; but his high position, and his multifarious and arduous duties, must have prevented him from having any degree of familiarity with the feeling of Scotch constituencies with regard to the measure. He rested his arguments for the adjournment of the debate last night on the ground, *inter alia,* that the constituencies of Scotland had not had time since the introduction of the Bill to consider it. As it had been printed only on Saturday it would not have reached Scotland until Sunday, and many parts of that country not until Monday morning. Since he made these remarks he had been able to examine the light in which it was regarded by the principal organs of public opinion in Scotland, and he was justified in saying that—as far as it was possible to gather the general private and public opinion of Scotland from the leading articles in the Scotch papers of yesterday morning—a very large contingent of Scotch opinion was deliberately and irreconcilably opposed to the principles of the Bill. He should like to refer to a charge which had been brought against the Conservative Members by the Irish Members—and which had been in some degree countenanced by the Prime Minister in his remarks that afternoon—namely, that the Conservative Party was always ready to vote for measures of coercion, while they were averse to what were called measures of conciliation. [Mr. GLADSTONE dissented.] He saw the Prime Minister made signs of dissent; but he was under the impression that the right hon. Gentleman used words to the effect that the Conservative Party were ready to give to measures of coercion a precedence which they were resolved to refuse to this measure. Of course, if he was mistaken he begged to withdraw the statement; but, so far as he was concerned, he desired to repudiate such an imputation altogether. He had made up his mind on the second reading of the Coercion Bill not again to vote for giving the present Government any further extraordinary powers in relation to their government in Ireland. He might be wrong, and he was acting individually; but he considered the powers which were conferred upon them last year were misused to such a degree that he could not reconcile himself to aid in trusting the present Government with any further extraordinary powers. The powers conferred last year had been used with a degree of vacillation and weakness that had resulted in confusion in Ireland, and in the disruption of the Cabinet. The Government exhibited in a large and exaggerated degree all the defects which had so long marked the administration of Irish affairs by English hands. They came forward now with a demand for the strongest measure of coercion ever introduced. He did not deny the necessity for that; but, on the other hand, they offered a Bill which introduced a totally new departure. He might call it a measure of outdoor relief upon the most gigantic scale that Parliament had ever been called upon to consider. It was a Bill, the effect of which, if it passed into law, would be to pauperize one class of the country at the expense of the other; and if there was to be any consistency in the administration of it, the funds with which it proposed to deal ought to be administered by the Poor Law Guardians. The only argument they had heard last night in support of the measure was that of necessity. No doubt the necessities of the Government were very great; but that was not sufficient argument to induce those on the other side of the House to concur in any measure which it might seem fit for the Government to bring forward. The fact was, the Government had got itself into a scrape, and they did not know how to get out of it. They must pass the Bill, because if they did not do so Heaven knew what further revelations in connection with the Correspondence about the Kilmainham proceedings would be produced from one quarter or other. They were told that if they did not agree to the passage, and the rapid passage, of the measure, the Government would not be answerable for the condition of Ireland. Now, he had not been very long in the House; but he knew that this argument had very often been used. The Government had said exactly the same thing in the debate on the Compensation for Disturbance Bill, when the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) found Ireland unmanageable in his hands, and laid on the House of Lords for their rejection of the Bill the responsibility for the outrages that ensued. Last year the Land Act was recommended for the very same reason. Well, that Act passed, and the immediate result was the "no rent," manifesto, and a state of things that had had no parallel since 1798. It seemed to him that the consequences were much the same whether the Government measures became law, or were thrown into the waste-paper basket, and he did not, therefore, anticipate serious difficulties from the rejection of this Bill. There was no Motion for opposition to this Bill. He wished there had been. He himself would have been very glad of an opportunity to vote against the second reading of the measure. They were discussing an Amendment which he confessed did not commend itself very much to his judgment; but he was willing to defer to the more experienced Members who had supported that Amendment. The Prime Minister told the House that the Bill had been framed in accordance with all sections of Irish opinion. He wished to know how that was possible? To go no further than the walls of the House itself, hon. Members had heard enough last night of the very wide divergence of Irish opinion on the subject. The hon. Member for the County of Cork (Mr. Shaw), after hearing the Prime Minister's arguments, still remained unconvinced, and expressed his deliberate belief that the money ought to be advanced on loan, and not as a gift. Irish Members above the Gangway had also criticized the Bill; and the hon. Member for Clonmel (Mr. Moore) said that from the moment of its introduction the farmers who had been paying their rents had absolutely ceased their payments. Again, it could not be said that the Bill accorded with the opinions of the Conservative Irish Members. In the House the Bill pleased only the Home Rule Members below the Gangway; out of the House the Government had to reckon on the support of the Kilmainham "suspects" and the Portland ticket-of-leave man; with the Fenians also, whose truculent manifesto was rhodomontade, no doubt, but rhodomontade which, as all knew by experience, was apt to be followed by assassination. The Bill proposed to vote a large sum of money towards a most undesirable object — an object which would interfere with a natural law of our race, especially of the Celtic race, in its movement Westward — and it would tend to settle permanently on miserably inadequate portions of land tenants who would be unable to live on their holdings, even if they had them rent free. They would, therefore, be for ever subject to periodical visitations of famine and distress. The state of Scotland 50 or 60 years ago in certain respects very much resembled the state of Ireland now. It was covered with small tenancies, and in the Western districts of Scotland the ruins of what were called Irish crofts, or small farms, were still to be traced. He appealed to anyone who knew Scotland at the present day, and who could recollect it 30 or 40 years ago, and challenged anyone to deny that the tenant farmers of Scotland now were a more well-to-do and a more comfortable class, and a class who lived a more desirable life in every way, than the small crofters of the former period. The fact was, that Scotland had been spared all sentimental legislation. In the case of Ireland, he saw no reason why it should be treated as the right hon. Gentleman proposed. The agricultural depression, which was the ostensible reason for bringing in this measure, was not nearly as severe or as widely spread in Ireland as in England and Scotland. In the North of England the last year was one of the worst possible, while in Ireland the harvest was one of the best on record. Besides that, the produce of the small dairy farms of Ireland had not to meet the American competition which the wheat-growing farms in England and Scotland had to face. From thousands of homesteads, hitherto happy and prosperous, families had been removed in the Midland Counties of England. Why was not the same sympathy extended to English and Scotch as to Irish farmers? Were they less devoted to their homes? No; they loved their homes just as much as the Irish peasant, but they did not make so much noise about their grievances. In the flogging days in the Army those who yelled loudest did not suffer so much as those who put a bullet between the teeth and held their peace. The Irish farmers resorted to agitation, which the dignity of the English and the Scotch farmers made it impossible for them to indulge in. They had not yet learned the art of "tolling the chapel bells," and calling attention to their sufferings by outrage and intimidation. He regretted that the Prime Minister did not see his way to devoting this large sum of money to emigration, which the late Chief Secretary spoke of as the one hope of Ireland. The right hon. Gentleman only deprecated doing that now because it would weaken the popularity of the Land Act of 1881. He (Sir Herbert Maxwell) was not much concerned about the popularity of the Land Act. His opinion of that measure had never altered. He believed it would fail, and that the Bill now before the House would fail, as every Bill would fail until the Irish Government learned to make no distinction between agrarian and political agitation. He desired to ask what security against fraud was afforded by this Bill? Nothing was more difficult to guard against than concealment of goods. The overworked authorities under the Land Act would be unable to enter into a minute examination of the condition of tenant farmers, and the Bill would offer an inducement to the making of fraudulent claims. If he believed the Bill would result in the relief of Ireland, that the people would be happy and contented, or if he could hope that it would tend to unite Ireland to this country, he would be inclined to put his conscience on one side—as would be done by many Members who voted for this measure—and would vote for it himself. But, as he could anticipate none of these benefits to Ireland, he should be compelled to disregard the appeal made by the Government and to vote against the Bill.

MR. VILLIERS-STUART said, that when the Prime Minister expressed partial approval of the Land Laws Amendment Bill introduced by hon. Gentlemen opposite, he laid down the axiom that if the Arrears Clauses were to be compulsory, they must also be just. That axiom was only what might have been expected from an enlightened statesman, and he would vote for the second reading, relying on the right hon. Gentleman being as good as his word, and accepting such Amendments as would render the Bill just; for, as it stood, very serious injustice would be inflicted upon a number of landlords, and that upon the very class who were most deserving of consideration, and who, when appealed to by the Government to be forbearing and not to add to existing difficulties, did not press their claims as they might have done. It would place them in a mortifying position, and also those tenants who, notwithstanding every temptation to hold their rents, paid them honestly, and, in a considerable proportion of cases, at the risk of their lives. In regard to the question whether the Bill should proceed by way of loan or gift, he was one of those who signed the Memorial which was sent to the Prime Minister from his side of the House, advocating his proceeding by way of loan. The Members who had signed that Memorial did so from the belief that loans would be less demoralizing to the beneficiaries themselves, and give rise to less heartburnings among those who had paid their rents honestly. It would, moreover, allow of more liberal terms being offered to them. It was quite true that loans at 1 per cent did partake of the nature of a gift, but the demoralizing influence was absent. Loans on such terms, precisely because they would partake of the nature of a gift, would still have permitted of the application of the principle of compulsion, of which he approved. In supporting the second reading of the Bill, he was anxious to guard himself against being supposed to be committed to more than that the Arrears Question was of the highest importance, and ought to be dealt with, and to take precedence of everything else. As to the question of gift or loan, he and the other Irish Members who sat near him had not changed their opinion; but they deferred to that of the Prime Minister. If it was possible that the Bill should be brought to a third reading unchanged, he could not conscientiously support it; but he could not believe that such a thing would happen, because he could not believe that the wealthy and generous-hearted people of England would prefer to adopt the policy of confiscation rather than pay the price of the policy of honesty.

MR. W. H. SMITH said, this was the most interesting and instructive debate they had had for a long period. It was a very remarkable fact that so many speakers on the Ministerial Benches had spoken disparagingly of one of the pillars on which this Bill rested. The Prime Minister said it rested on two pillars — gift and compulsion; and it was noteworthy that scarcely a Member on the other side—and certainly none on his own side—of the House had advocated the principle of gift. In fact, the only exceptions were the occupants of the Treasury Bench and two Irish Members on the Ministerial side of the House. Some of the principles enunciated by the Prime Minister he confessed had both surprised and alarmed him. They were informed that the principle of loan was admitted in the Bill of last year, against which some of them protested as likely to be demoralizing to the inhabitants of Ireland. They were desirous of doing anything they could to encourage independence, and they were informed that the principle of loan admitted into the Bill of last year conceded everything which was to be found in the Bill of this year. Another remarkable statement was made by the Prime Minister when he insisted that the conditions under which this arrangement should be carried out must be equitable, safe, and effectual. Shortly after the right hon. Gentleman had made that statement, the hon. Member for the County of Cork (Mr. Shaw)—who was, no doubt, a good judge of what was equitable—pointed out the absence of any equity in making large grants to persons who were dishonest, thriftless, and wanting in all the qualities of good citizens. The hon. Member for the County of Cork further pointed out that a man who had made an effort to pay his rent and to meet his other obligations would be discouraged by seeing the great disadvantage in which he would be placed under the Bill, compared with those who had failed to exercise his qualities of honesty and integrity. He could not imagine that any principle asserted by Parliament could be more disastrous, or more certainly dmoralizing to the community, than to make it clear that this money was not to be advanced to men who had striven to discharge their obligations to society, but to those who had entirely failed in that duty. He said, therefore, that this Bill, which the Prime Minister asked the House to accept, introduced a principle which was most unsafe and most dangerous to the State. It was absurd to call it equitable. There was another ground on which the Prime Minister asked the House to assent to the measure. It was that it would be effectual. He wished to draw attention to the absence of any provision for making this Bill effectual for the object which the Government had in view. The Chief Secretary to the Lord Lieutenant had expressed a most earnest desire — in which he believed hon. Members on both sides, without exception joined— to give, if possible, these unfortunate people a fresh and fair start in the world, without encumbrance and without difficulty. It was notorious that those tenants who were honestly in arrear with their landlords for two or three years' rent were equally in arrear to their trade creditors. Taking the community at large, you might average the debt due to the landlord as equal to the debt due to the shopkeeper. What was proposed to be done? To clear off the debt due to the landlord, and to leave the other arrears hanging round the neck of the tenant and preventing him from earning his living. This would afford a temptation, which was practically irresistible to the shopkeepers, and those from whom the tenant might have borrowed money, to go at once to the man who was clear of his debt to the landlord, and to proceed in the Courts in order to obtain a decision in their favour and to compel this very man to sell his holding. In other words, we should make it easy for a shopkeeper or money-lender to proceed to that very sentence of eviction which it was professedly desired should be removed from the power of the landlord. Therefore, the scheme proposed by the Government was not equitable, safe, or effectual. But the Prime Minister said he did not bind himself absolutely to the amount, which he now estimated at £2,000,000, as being the sum of the demand which the State might have to meet in the shape of one year's arrears, because, as the right hon. Gentleman observed, the idea of receiving public money was very fascinating. He thought that, in making that statement, the Prime Minister must have had in his mind recollections of the Chancellor of the Exchequer of former days. There was a rich fund to draw upon, and it was always regarded by the public as being practically inexhaustible. He would now proceed to point out many sources of difficulty which were likely to arise under this Bill. The Prime Minister said it was very fascinating to endeavour to obtain, and to be able to receive, money from the Public Exchequer. As it was at present drawn this Bill would put it into the power of everyone who might owe a "hanging gale" to ask the Exchequer to pay half of it. This was a provision under which the whole of the tenants under £30 valuation in Ireland, who were not practically or really in arrear, could come and claim from the State half of a sum of money which they would not be called upon to pay until the year after it was due. This was a provision under which arrears of rent would be created which did not now exist, and in respect of which a large and unlooked-for demand would be made on the Public Exchequer. It appeared to him that the views which the Prime Minister had asserted were dangerous views for the future—he was going to say for the morality—of the community of this country. If there was one thing more than another which it was their duty to do, it was to persuade their countrymen that the highest position they could attain to was to have a respect for law and for the discharge of their obligations. This Bill was, however, a distinct reward to those who had abstained from paying their rents, and a distinct incitement to others not to do so in the future. As to the number of persons who in one way or another would be affected by the Bill, he thought it would be larger than was generally supposed. The total number of holdings in Ireland was 660,000; but, according to a Return which had been made by the Irish Local Government Board, the number of holdings under £30 valuation was 585,715. It might, therefore, be said that one-half, or nearly one-half, of the population of Ireland would come within the purview of this Bill. Indeed, assuming that there were four or five persons to every holding, there would be more than one-half of the population brought within the purview of the Bill. Assuming 200,000 to be in arrear, a considerable proportion of that number would be cottier tenants. Well, every one of these 585,715 persons who did not get relief under the Bill would have a grievance. [An hon. MEMBER: No.] There was no surer way of creating a grievance than by making distinctions between individuals of the same class in the distribution of public money. There were 585,715 heads of families in the class for whom the Bill was intended, and there were only 200,000 who it was calculated would receive any advantage from the Bill. There would thus be 400,000 families who would feel themselves aggrieved by the operation of the Bill, and these dissatisfied persons would be the most honest and enterprizing of their class—men who had done their duty at the risk of losing property and life. The rent-roll of Ireland might be reckoned at £14,000,000. For the purposes of the Bill it was assumed that 2,000,000 would be required. Those tenants, therefore, who had paid the remaining £12,000,000 of rent would feel a sense of injustice of which the Government might hear in a very unpleasant manner. With regard to the cottier tenants, his right hon. Friend the Member for Bradford (Mr. W. E. Forster) and the Chief Secretary (Mr. Trevelyan) had spoken of them in terms with which everybody must sympathize. All must desire to do something to benefit the poor tenants of the West of Ireland—Galway, Mayo, and Donegal. Emigration, or migration, was the only means of relieving these unfortunate people. By some means or other they were bound to lift those people out of the condition of misery in which they were now situated. Last year, in the debates on the Land Act, he had frequently said that the only way in which the Government could deal with the enormous difficulty — a scandal to a great Empire—of improving the lot of that congestion of starving persons was by the appointment of a Royal Commission, which should have funds at its disposal to assist their removal to another country, or to another part of Ireland. His right hon. Friend said that the settlement of arrears must come before migration; that they ought first to enable the tenants to pay their rents. But what was the good of keeping these unhappy people in a condition in which there was the strongest evidence to show that they could not keep body and soul together? It was stated in evidence before the Bessborough Commission, by Professor Baldwin, that there were 100,000 holdings in Ireland altogether too small to maintain a family, even if they were held rent free. That was stated in 1880, and, notwithstanding two good harvests, the condition of those people was as bad as ever; they were not able to pay their rents or to live or thrive. What was the statement of the reporter of *The Daily News* on Saturday? *The Daily News* says—

> "It is to be feared that these poor creatures (in Connemara) labour under a fatal disqualification to relief under that measure (the Arrears Bill). The total amount of their annual rent varies from 15*s.* to £5, and it is probable that if they held their land free of all rent they would still be in a very wretched plight. Subdivision has been practically unchecked, and our Correspondent mentions a case of co-partnership in which nine families, consisting of 57 persons, actually shared a plot of ground worth about £10 a-year. They are willing to emigrate, but they cannot afford it."

They had this statement, with that of Professor Baldwin and that of The O'Conor Don. The Land Act had been in operation nearly a year, Ireland was in a worse condition now than in 1880, and yet the Government had not taken any steps which would adequately cope with this enormous evil. He spoke from his own knowledge when he said that there were hundreds and thousands of these poor people who would be glad to emigrate if the means were found them. Although the right hon. Gentleman might be right in saying that it would be to the advantage of the landlord if the land could be cleared of his tenants, it was utterly out of his power, in most cases, to offer sufficient inducements to them to emigrate, as the Land Acts of 1870 and 1881 imposed penalties on "disturbances" which were too onerous to be encountered; and then he had probably received no rent for many years, and was in a state of absolute poverty. Thus the landlords, in many cases, were unable to give any assistance. There was nothing in the Bill which would do any good for these people; there was nothing in the Bill of last year. There was, no doubt, a provision dealing with emigration; but he believed there was no single case in which that provision had been acted upon. Were we to wait indefinitely for something to be done to meet the evil? A moderate measure of well-considered migration or emigration would afford the greatest possible relief to these poor tenants; and for those who remained at home there would be a much better chance of success and prosperity. He had seen with his own eyes that, under present circumstances, it was impossible for thousands of human beings to find a livelihood among the stones and bogs of districts such as those of Connemara. He could not see that the right hon. Gentleman the late Chief Secretary was right in saying that in those districts this Bill would afford relief.

Mr. W. E. FORSTER: I said that nothing but emigration would relieve them.

Mr. W. H. SMITH understood that the right hon. Gentleman meant that the emigration was to be delayed until after the operation of the Bill on the arrears.

Mr. W. E. FORSTER: What I said was, that if the emigration was the compulsory result of extensive evictions it would not be emigration conducted with the best chance of success.

Mr. W. H. SMITH quite agreed with his right hon. Friend, whom he had misunderstood. But was the Government justified in not dealing at once with that evil? He approached the question with the strongest feeling that probably at no period in the history of this country—certainly not in the present generation —was the condition of Ireland more grave than at the present moment. He did not throw difficulties in the way of the Bill from any political motive adverse to the Government. These were times when political differences ought to be hushed in the endeavour to deal with a condition of affairs which was far more grave, serious, and alarming than any condition of affairs as regarded Ireland, which he had known during his lifetime. There was more serious general disaffection and more complete disloyalty in Ireland than had ever been the case before. Where there was formerly good nature; where there was a readiness to meet a stranger and a desire to make his way pleasant, there was sullen discontent. There was every indication that the population were estranged from England and the English nation. This was a condition of affairs that required to be met, not wholly by measures of repression, but certainly not by measures which were unsound in principle and wrong and dangerous in their effects. He would say this without any political or partial feeling whatever—that he believed the effect of the Land Act had not been to add a single additional loyal subject to the number in Ireland, and he believed it had not produced any satisfaction on the part of those who benefited by it. They regarded it as forced from the Government by agitation, and not as an act of justice and done from a sense of duty by the Imperial Parliament. If that was the way in which the legislation of the past had been received, they had little hope that the boon now offered would produce a feeling of loyalty. The Bill before the House ought to be allowed to pass if it were right and just, and if, on the whole, from their experience of men and society, they thought it would conduce to the good government of the country, not only in the present, but also in the future. But his objection was that it would not do that. The Bill proposed to deal with three classes of persons—first, those who could pay and would not; secondly, those who could have paid but had spent the money; and, thirdly, those who were wholly unable to pay, such as the cottier tenants of Galway, Mayo, and other parts. The Bill would benefit the first two classes; but those who could not pay—those who had been described by a writer in a morning paper as living from hand to mouth with enormous difficulty—would be left unprovided for. There had been a considerable cessation of labour in the West of Ireland. Persons had been thrown out of employment through the terrorism of the Land League and the operation of the Land Act; and he feared that it would be a long time before that employment would be renewed, owing to the withdrawal of capital from the country. He felt sure that the employment would not be shortly renewed, even if the Government were able to restore security to life and property in Ireland. The right hon. Gentleman the present Chief Secretary, in his speech last night, observed that the landlords had made a bad debt, a portion of which would now be paid by the State. He must apologize for having, perhaps, old-fashioned notions; but he did not think it the duty of Parliament or of the Exchequer to pay anybody's bad debts. It was a great misfortune to the landlords, no doubt; but he believed that to say that bad debts, in the shape of rents accruing during bad seasons or otherwise, should be provided for by the State was to make an assertion which was dangerous to financial policy, and which tended to public immorality. Another objection he had to the measure was that it would take away a fund which might have been used with great advantage for reproductive purposes. In whichever way they looked at it, they could not consider the grant of the Irish Church Surplus Fund anything other than a grant of public money. [An hon. MEMBER: Of Irish money.] Well, he wished to speak of Irishmen as Englishmen, and as inhabitants of the United Kingdom. His great hope would be to deal with Ireland in the same way as England, and he hoped the time would yet come when they might be treated as one nation. Many of the greatest names in English history were Irish. Many of their greatest statesmen and of their greatest soldiers had been Irishmen, and he saw no reason why the distinction between the two countries should be kept up. There was a disposition to continually resort to the Church Surplus, just as a boy went to a jampot as long as it lasted; but he thought that if the capital of this fund had been preserved, it might have been used most beneficially for Ireland. He objected to the principle of the measure entirely. If men were in arrear with their rent, they were most likely in debt also to the shopkeeper and to others, and why should the debts which were owing for rent be the only ones defrayed by the State? He was convinced that the only way of dealing with people in arrear in that manner was to put them through a rapid and easy bankruptcy. Even the leading organ of Liberal opinion in Ireland—*The Freeman's Journal*—pointed out that one serious objection to this Bill was that the relief arrangement involved lawsuits. It appeared to him to be the height of folly to relieve people who were in hopeless debt and misery of a part of their burdens only, and to leave, perhaps, the bulk of the debts unsatisfied. It had been said that the bankruptcy to which he had alluded would involve eviction. But he did not know that that was necessary. He said last year, and he would repeat it, that a measure dealing with this question, in order to be successful, must be kept beyond the range of Party politics. For his own part, he certainly was unwilling to vote for a Bill which appeared to him unsound in principle, likely to perpetuate most grave evils, and offering a distinct premium on dishonesty, and which afforded no reasonable hope of grappling successfully with the great difficulty which they had to meet in Ireland. He believed that end might be accomplished if sufficient courage were shown by the Government in the matter. He should regret greatly if the condition of Ireland should render the affairs of that country the mere shuttlecock of Parties; and he was satisfied that that House would cheerfully submit to any sacrifice if a real determined effort were made to grapple with the evils that prevailed in Ireland, if that could be done apart from politics and apart from social disturbance. He declared, however, that this Bill would offer the greatest possible inducement to the repudiation of contracts in Ireland, instead of extending, as he hoped it would have done, the facilities for purchase. The only argument that had been put forward in support of the Bill was that it had been rendered necessary by three years' failure of crops; but what was there to assure the House that another three years' failure of crops would not occur within the next few years, in which case they might be asked to pass another Relief Bill similar to the present to pay the tenants' debts out of the public funds? The right hon. Member for Bradford had excused the introduction of the Bill on the ground of the exceptional state of things in Ireland; but, for his part, he saw no security that such a state of things would not recur. The Bill might be a necessity, but he could not reconcile it with his conscience to allow the measure to pass without entering his protest against its principle. He was convinced, if only men of great power and influence had the courage, that a better way could be found, without serious danger to the State, of meeting a difficulty which he was convinced that every loyal man and every Christian would wish to see met.

Mr. CHILDERS said, he had listened to the speech of the right hon. Gentleman who had just sat down with great interest, and he was bound to say that he agreed cordially with many of the sentiments that it contained. The spirit of that speech was good throughout, and many of the suggestions which the right hon. Gentleman had made were well worthy of the consideration of Parliament and of the country. Before touching upon the general principles of the measure, he should like to refer to the first reason which the right hon. Gentleman gave as weighing with him in opposition to the Bill. The right hon. Gentleman objected to the Bill, because, he said, it would enable a large number of the tenants to settle with their landlords, after which they would find themselves face to face with the shopkeepers, who would evict them without mercy. But if that was a sound objection to a scheme of gift, he failed to see how it would be met by making the gift a loan. If he correctly understood the right hon. Gentleman's suggestion, he wished to inaugurate a huge plan of bankruptcy, and that he desired it to be understood that he and his Friends would be prepared to sacrifice large sums of money to enable the people of Ireland to get rid of their liabilities. What he failed, however, to see was how, under the scheme of the right hon. Gentleman, these unfortunate people, who would be deprived of all their property, would benefit; and, moreover, the right hon. Gentleman had failed to point out in what manner his scheme could be rendered practicable. The right hon. Gentleman had, indeed, made one suggestion—namely, that some large and universal scheme of emigration should be adopted for the overcrowded Western districts of Ireland. He (Mr. Childers) knew something of the good side of emigration, and of the advantage it was to many poor people in this country to be enabled to settle in Colonies where the social institutions were similar to those here; and any such system of emigration, *primâ facie*, would receive his support. But had the right hon. Gentleman well weighed and considered the difficulties involved in emigration from Ireland? It raised questions relating to the religious sentiments of the Irish people, which up to the present time Parliament had been unable to solve. He did not hesitate to say, after having made inquiries on the subject in the West of Ireland, that unless some security was given that their religious connections would not be broken off, emigration would be always a violation of the wishes of large sections of the Irish people. If it were possible to mature a sound system of emigration from the overcrowded districts of Ireland, it would receive no stronger support than from himself. The suggestion of the right hon. Gentleman as to a fuller explanation of what was meant by a "hanging gale," in Sub-section 3 of the 1st clause of the Bill, would, no doubt, receive attention in Committee. There was a peculiarity in the present debate to which he wished to call attention. Three Notices of Amendment were given by the Opposition. Of these the third had been adopted by that Party. The first Amendment, which certainly had at one time the countenance of the Leader of the Opposition, was a general one, declaring that "no gift of public money" would effect the objects of the Bill; the second said that a contribution of public money for this purpose "should, in the present circumstances, take the shape of a loan, and not of a gift." The Amendment now under discussion was still more limited, because it stated that—

> "No payment in respect of arrears of rent in Ireland should be made by way of gift, if that payment was to be a charge on the Consolidated Fund."

From this he inferred that the Opposition were not prepared to test the principle involved in the first and second Amendments. The right hon. Gentleman, in fact, said that his Amendment raised the "narrowest possible issue," and that it did not prohibit payment by way of gift from the Church Fund. He went even further, and said that, if the Church Fund was not sufficient for these payments by way of gift, the balance of the £2,000,000 might be charged on Irish land, and that a rate of 1*d.* in the pound for six years on Irish land would meet the £400,000 or £500,000 required to be raised. But was it not evident from this that the Amendment before the House was unreal? It did not touch the real question. It was intended merely to catch votes. It did not contest with the Government the principle of the Bill. It raised only a side issue, which, judging from the divisions at the previous Sitting of the House, did not commend itself to the approval of the House. They were not discussing the real points of the present Bill. The right hon. Gentleman said he would give them an illustration from former transactions of this kind, and proposed that the advances should be made from the Consolidated Fund by way of a loan, in order to express the intention of Parliament, rather than with a view of recovering the money after the loans were made. The right hon. Gentleman said this had been done with regard to the tithe loans, a portion of which was not repaid, while another portion was repaid to only a small extent. Was not this, then, an unreal proposal if founded on such precedents? The right hon. Gentleman also objected to the Bill on the ground of the present state of the finances. He said there was no Surplus, and he referred to the fact that they were paying £500,000 a-year to help the taxes of India. But who had brought upon them that charge? The Vote in Aid of the Finances of India had become necessary solely in consequence of the unfortunate war waged by right hon. Gentlemen opposite—a war with regard to which the country had expressed its distinct disapproval. He must now refer to the statements of the hon. Member for Downpatrick (Mr. Mulholland), than whom no one was better informed with regard to the financial affairs connected with the late Established Irish Church. The hon. Gentleman had referred to the unsatisfactory condition of the Church Fund, and he said that the fund's assets were not in excess of its liabilities, and that it was impossible to look to it as a means of support. It was said that the Report of the Commissioners contained no balance-sheet. He had listened attentively to the hon. Member, and he had by him the accounts of the Irish Church Fund; and he thought it was right that the statement of the hon. Member in this particular should be corrected as soon as possible. From the Report of the 1st of November, 1880, he found that the estimated present value of the Church Estate, before later charges had been placed on it, was £12,400,000. The liabilities were—Loan from National Debt Commission, £5,600,000; other liabilities, £300,000; total, £5,900,000; making the surplus £6,500,000. The subsequent charges were—Intermediate education, £1,000,000; pensions of schoolmasters, £1,300,000; the loss to Estate by the relief of distress advances being made at 1 per cent, £550,000; total, £2,850,000; leaving a balance of £3,650,000. Then they must take this as subject to estimated depreciation on £12,400,000 from non-payment of rent, and he did not pretend to say how much this might be, but if even 10 per cent, it left a large balance. He next turned to the present position of the income. The present income, according to the Commissioners' Report, was £562,000, to which must be added repayment of advances for distress during 35 years, £49,000; making together £611,000. On the other side of the account there were sundry charges, £61,500; interest on £500,000 borrowed, £17,500; annuity for 25 years, to replace loan from Commission, £295,700; teachers' pensions, £39,000; intermediate education, £32,500; Royal University, £20,000; relief of distress bonds, £45,500; total, £511,700. The income would gradually fall in 40 years from £562,000 to £467,000, and 10 years afterwards to £293,000. The expenditure, after 25 years, would fall to £216,000. The proposed method of dealing with the loan of £2,000,000, if the whole of that were considered to be chargeable on the Church Fund, would be to extend the annuity from 25 years to 35 years, the term of the repayment of the instalments of the advances for the relief of distress, and to create a similar annuity for the £500,000 which remained due to the National Debt Commissioners. The charge would then be £262,600, instead of £312,200, showing a diminution of charge of £50,600. If that were done, and £62,500 were the charge for the interest of the £2,000,000, and 5 per cent were deducted for non-receipt of income, what would be the surplus? The Actuarial Report was that the surplus available to pay off the £2,000,000 would be from £45,000 in 1885 to £28,000 in 1915, the maximum being £57,000 in 1905. If those figures were correct, it was evident that the Church Fund would well bear the £1,500,000 charge which it was proposed to place upon it. With regard to the ascertaining the inability to pay of the persons to whom advances were made, a strong observation had been made by the right hon. Gentleman (Mr. W. H. Smith) to the effect that those who did not receive any portion of the public money, but who were of the same class as those who did, would have a grievance. But that was a complaint which could equally be brought against the Poor Law, and almost in every case in which public money reached some hands and not others. The noble Lord the Member for Middlesex (Lord George Hamilton) had twitted the Government with their inability to say the same thing twice. Last year, the noble Lord said the Government maintained that it would not be possible to demand that a tenant should prove his inability to pay rent, but this year they required such proof. Well, that a tenant should be required to prove his inability to pay was advocated last year by the noble Lord himself and the right hon. Baronet the Member for South-West Lancashire (Sir R. Assheton Cross); and he held that it was hard that the Government should be taken to task by the noble Lord for adopting after consideration the suggestion which he and the Leaders of his Party had put forward. The Government had been asked, with reference to the question of a tenant's inability to pay rent, whether he would have to strip himself of his tenant right before claiming to be in that condition? If a tenant, in order to pay, had to deprive himself of his holding altogether, so as to be no longer a tenant, then that would be inconsistent with the objects of the Bill; but if it continued to be what in business phraseology was called "a going concern," but would bear no further burden, then inability to pay might be proved. The hon. Member for East Surrey (Mr. Grantham) had said that the first necessity for Ireland was an improved class of tenants; and so far as legislation could effect that object, there was ground for believing that under the operation of the Land Act, aided by this Bill, the class of tenants in Ireland would be improved. The main question with regard to this Bill was whether the advance to be made in relief of the tenants should be made by way of loan or as a gift? The right hon. Gentleman opposite said that nobody was for the principle of gift and everybody in favour of that of loan. He thought, on the contrary, that everybody was for gift, all the various proposals that had been made as to the principle of loan having contained in them the element of gift. One plan had been strongly urged into which the element of gift largely entered—namely, the proposal of the hon. Member for Cork County (Mr. Shaw)—that three-fourths of all arrears up to November, 1880, should be lent for a period of 35 years at 1 per cent, without any limit as to the amount of rent or the number of years during which the arrears had accumulated, or any distinction as to whether the tenant was able to pay or not. Having made a calculation as to the amount of money which would have to be advanced in order to carry out that plan, he (Mr. Childers) found it would probably amount to £6,000,000, of which £2,000,000 would be a gift. So that the difference between the hon. Member's proposal and that of the Government was that while the former would involve as large a gift as the Government proposed to give, it would make the State a creditor to the tenants to the extent of £4,000,000 more, to be spread over several hundred thousand debtors and during a period of 35 years. He pitied the Government that would adopt such a proposal. The hon. Member for Downpatrick (Mr. Mulholland) used an expression which surprised him—namely, that the lending of money without interest was really an operation on a sound basis. He did not know whether the hon. Member would apply that in private life; he should think not. His right hon. Friend the late Chief Secretary made a remark as to the persons by whom this Bill was to be administered—that was to say, the persons who would have to decide upon the ability to pay. As that was a matter which they would be able to discuss well in Committee, he (Mr. Childers) would not enter upon it now. However they might differ upon the question whether this Bill was of little or of great importance, he firmly believed its operation would be beneficial. The judgments given under the Land Act showed that, on the average, rents had been excessive; and that being acknowledged, it seemed but reasonable, after the three years' famine, that the Government should assist the tenants to pay the rent which accrued during that disastrous time. As Parliament had passed a measure for the protection of tenants with regard to the future, it did not appear to be unreasonable that Parliament should, for the purpose of making an adjustment between landlords and tenants, pass another measure dealing with the past; and, therefore, he hoped the House would pass this Bill.

MR. J. LOWTHER: I had not intended to address any observations this afternoon to the House, and I should not have done so had it not been for the very cordial, though somewhat unusual, invitation addressed to me at an early hour this morning by the Prime Minister. I had intended, had time permitted, to have addressed a few words to the House last night with regard to this Bill. I was about to have stated on my own part, while fully agreeing with my right hon. Friend the Member for North Hampshire (Mr. Sclater-Booth) as to the preference for a loan over that of a gift, that it appeared to me that it was comparatively a matter of detail. My objection to the measure is far antecedent to any distinctions between a loan and a gift. I object myself to that which I consider is a distinct encouragement to dishonesty and a premium placed upon fraud, for the encouragement of the tenants who, during exceptionally good years, have been able to pay their rents, and who have chosen not to do so. The right hon. Gentleman, who has only a moment since left his place, intimated that I made use of expressions outside the walls of this House which I was not prepared to make in this Assembly. Perhaps the right hon. Gentleman will be returning directly, and I will confine myself for a few minutes to observations with regard to the Bill itself. This Bill, in my opinion, contains one great defect, in so far as the only means for ascertaining whether the tenant is or is not a fraudulent debtor or a person in adversity is a reference to the Commission—to that public body created under the Land Act, which has not yet succeeded in inspiring the public with any confidence. Sir, I was observing that the Prime Minister, who is now in his place, referred to certain remarks of mine in a place other than this House, to which he appeared to take exception. He has not, so far, favoured me with a reference to the particular remarks to which he refers, although I see that he has sources of information at hand. I have to remind the House and the right hon. Gentleman that I addressed a very few words to the House on the announcement made by the right hon. Gentleman —now some three weeks ago. My words were few; but I remember that I said that the announcement made by the right hon. Gentleman was, in my opinion, an abdication on the part of the Government *de jure* in favour of the Government *de facto*, and that the arrangement announced would be regarded throughout the length and breadth of the country as an ignominious surrender to the forces of lawlessness and crime. Those were the words of which I made use in this House, and I am not aware that elsewhere I have receded from them, or, I am bound to say, improved upon them. Perhaps the right hon. Gentleman might kindly call my attention to the particular remarks to which he takes exception. If the right hon. Gentleman gives me a reference, I will see whether I have succeeded in obtaining the information which he desires. I find during the same speech I spoke of it in these——

MR. GLADSTONE here made an observation which was inaudible in the Gallery.

MR. J. LOWTHER: What date? Will the right hon. Gentleman kindly give me the date?

MR. GLADSTONE: On May the 18th.

MR. J. LOWTHER: Well, Sir, I think, perhaps, it would be the meeting at Keighley.

MR. GLADSTONE: It is to that I would call the right hon. Gentleman's attention if he has been correctly reported; it is on the subject of the conduct of the Government in relation to the release of the Members of Parliament and the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster). I will not give him the reference unless they are accurately reported. Under the head of "Mr. Lowther at Bradford," the right hon. Gentleman deplored "the weakness and vacillation of the Member for Bradford;" and, having done that, he goes on to account for it. He found the cause for that weakness and vacillation—namely, "the treacherous action of Mr. Forster's Colleagues." He said—

> "Mr. Forster was a good man struggling with adversity; he had disloyal Colleagues, who were conducting clandestine negotiations to a great extent wholly unknown to him, and machinations were elaborated to oust him from the Cabinet."

I wish to know whether the right hon. Gentleman is correctly reported?

Mr. J. LOWTHER: They are substantially accurate, and certainly, as far as my information enables me to form an opinion, they are accurate still. What are the facts? As announced by various Ministers to this House, communications were taking place between a certain Member of the Cabinet and an Irish Member of Parliament without, so far as evidence has reached me, the concurrence of the right hon. Gentleman then the Chief Secretary for Ireland. The right hon. Gentleman has been asked several times whether he is prepared to lay those documents on the Table. I must own myself that if I had possessed a Colleague who was capable of conducting communications in any shape or form behind my back I should have taken most serious exception to his course. But what certainly appears on the face of the somewhat disjointed communications which have from time to time been extracted from Members of the Government? The House must arrive at the conclusion that communications had taken place between the right hon. Gentleman the Member for Bradford and the hon. Member for Clare (Mr. O'Shea), and that certain correspondence had taken place.

Lord EDMOND FITZMAURICE rose to Order. He wished to know whether the observations which the right hon. Gentleman was making were in Order, as being germane to the Bill under discussion?

Mr. SPEAKER: The observations of the right hon. Gentleman are not germane to the Bill under discussion, and his observations can only be received in the form of a personal explanation. If the House thinks proper to receive the observations in that sense, no doubt it will allow him to make the observations; but they are foreign to the subject-matter of the Bill.

Mr. J. LOWTHER: The right hon. Gentleman has quoted words which I admit to be substantially accurate. I have a different newspaper here, with, perhaps, a slightly varied report; but I do not care to go into details. I believe the impression upon my mind is shared by the great bulk of the inhabitants of the United Kingdom.

Mr. JOHN BRIGHT: Especially in Yorkshire.

Mr. J. LOWTHER: The right hon. Gentleman the Chancellor of the Duchy of Lancaster says, "Especially in Yorkshire." I think if the right hon. Gentleman consults persons holding his own political opinion in that Division of Yorkshire, to which probably he more especially refers, I think he will find that opinion widely entertained; and that a certain political event, to which he, perhaps, intended to refer, was to some appreciable extent influenced by the views entertained by many intelligent persons with regard to transactions of this kind. I have no wish to stand in the way of the House and a division; but I felt myself bound, in response to the invitation of the right hon. Gentleman, to state that any statement I make outside the House I am perfectly willing, so far as it is germane to the discussion, to maintain in this House. If the right hon. Gentleman will produce the documents, and can assure me that the right hon. Member for Bradford was consulted during all the stages in these negotiations, both written and oral, which have taken place between his Colleagues or any of his Colleagues and any Irish Members, I will gladly say that I will withdraw.

Question put.

The House *divided*:—Ayes 296; Noes 181: Majority 115.—(Div. List, No. 98.)

Mr. STORER rose, and was about to address the Chair, when——

Mr. SPEAKER pointed out to the hon. Member that if his desire in rising was to debate the question, the second reading must be postponed till the evening. He inquired whether that was the object of the hon. Member?

Mr. STORER said, he did not wish to delay the division; but there had been no protest made against the Bill on behalf of the agricultural interest. He wished earnestly to make that protest.

Main Question put, "That the Bill be now read a second time."

The House *divided*:—Ayes 269; Noes 157: Majority 112.

AYES.

Acland, C. T. D.
Agnew, W.
Ainsworth, D.
Allen, H. G.
Amory, Sir J. H.
Armitstead, G.
Arnold, A.
Ashley, hon. E. M.
Balfour, Sir G.
Balfour, J. B.
Balfour, J. S.
Baring, T. C.
Baring, Viscount
Barnes, A.
Barran, J.
Biddulph, M.
Biggar, J. G.
Blake, J. A.
Blennerhassett, R. P.
Bolton, J. C.
Borlase, W. C.
Brand, H. R.
Brassey, H. A.
Brassey, Sir T.
Brett, R. B.
Bright, rt. hon. J.
Bright, J. (Manchester)
Brinton, J.
Broadhurst, H.
Brooks, M.
Brown, A. H.
Bruce, rt. hon. Lord C.
Bruce, hon. R. P.
Bryce, J.
Burt, T.
Buszard, M. C.
Butt, C. P.
Byrne, G. M.
Caine, W. S.
Callan, P.
Cameron, C.
Campbell-Bannerman, H.
Carbutt, E. H.
Carington, hon. Col. W. H. P.
Causton, R. K.
Cavendish, Lord E.
Chamberlain, rt. hn. J.
Chambers, Sir T.
Cheetham, J. F.
Childers, rt. hn. H.C.E.
Clarke, J. C.
Clifford, C. C.
Cohen, A.
Collings, J.
Collins, E.
Colthurst, Col. D. La T.
Commins, A.
Corbet, W. J.
Corbett, J.
Cotes, C. C.
Courtney, L. H.
Cowan, J.
Cowper, hon. H. F.
Craig, W. Y.
Creyke, R.
Cropper, J.
Cross, J. K.
Cunliffe, Sir R. A.
Currie, Sir D.
Davey, H.
Davies, D.
Davies, R.
De Ferrieres, Baron
Dickson, T. A.
Dilke, Sir C. W.
Dillon, J.
Dillwyn, L. L.
Dodds, J.
Dodson, rt. hon. J. G.
Duckham, T.
Dundas, hon. J. C.
Earp, T.
Ebrington, Viscount
Edwards, P.
Errington, G.
Evans, T. W.
Farquharson, Dr. R.
Fawcett, rt. hon. H.
Ferguson, R.
Findlater, W.
Fitzmaurice, Lord E.
Flower, C.
Foljambe, C. G. S.
Foljambe, F. J. S.
Forster, Sir C.
Forster, rt. hon. W. E.
Fry, L.
Fry, T.
Givan, J.
Gladstone, rt. hn. W.E.
Gladstone, H. J.
Gladstone, W. H.
Glyn, hon. S. C.
Grafton, F. W.
Grant, A.
Grenfell, W. H.
Gurdon, R. T.
Hamilton, J. G. C.
Hartington, Marq. of
Hastings, G. W.
Hayter, Sir A. D.
Healy, T. M.
Henderson, F.
Heneage, E.
Henry, M.
Herschell, Sir F.
Hibbert, J. T.
Hill, T. R.
Holden, I.
Hollond, J. R.
Holms, J.
Hopwood, C. H.
Howard, J.
Illingworth, A.
Inderwick, F. A.
James, C.
James, Sir H.
James, W. H.
Jardine, R.
Jenkins, D. J.
Jenkins, Sir J. J.
Johnson, E.
Johnson, rt. hon. W. M.
Kinnear, J.
Labouchere, H.
Laing, S.
Lalor, R.
Lawrence, Sir J. C.
Lawson, Sir W.
Lea, T.
Leake, R.
Leamy, E.
Leatham, W. H.
Lee, H.
Leeman, J. J.
Lefevre, right hon. G. J. S.
Leigh, hon. G. H. C.
Lloyd, M.
Lubbock, Sir J.
Lyons, R. D.
M'Arthur, A.
M'Arthur, W.
M'Carthy, J.
M'Clure, Sir T.
M'Coan, J. C.
Macfarlane, D. H.
M'Intyre, Æneas J.
M'Kenna, Sir J. N.
Mackie, R. B.
Mackintosh, C. F.
M'Lagan, P.
M'Laren, C. B. B.
M'Minnies, J. G.
Magniac, C.
Mappin, F. T.
Marjoribanks, E.
Martin, P.
Martin, R. B.
Marum, E. M.
Mason, H.
Matheson, Sir A.
Maxwell-Heron, J.
Meldon, C. H.
Mellor, J. W.
Milbank, Sir F. A.
Molloy, B. C.
Monk, C. J.
Morgan, rt. hn. G. O.
Morley, S.
Mundella, rt. hon. A. J.
Nelson, I.
O'Beirne, Major F.
O'Brien, Sir P.
O'Connor, A.
O'Connor, T. P.
O'Conor, D. M.
O'Donoghue, The
O'Gorman Mahon, Col. The
O'Kelly, J.
O'Shaughnessy, R.
O'Shea, W. H.
O'Sullivan, W. H.
Paget, T. T.
Palmer, C. M.
Palmer, G.
Palmer, J. H.
Parker, C. S.
Parnell, C. S.
Pease, A.
Peddie, J. D.
Pennington, F.
Philips, R. N.
Playfair, rt. hon. L.
Porter, A. M.
Portman, hn. W. H. B.
Potter, T. B.
Powell, W. R. H.
Power, J. O'C.
Power, R.
Pugh, L. P.
Pulley, J.
Ralli, P.
Ramsay, J.
Ramsden, Sir J.
Rathbone, W.
Redmond, J. E.
Reed, Sir E. J.
Reid, R. T.
Richardson, J. N.
Richardson, T.
Roberts, J.
Rogers, J. E. T.
Russell, C.
Russell, G. W. E.
Russell, Lord A.
Rylands, P.
Samuelson, H.
Seely, C. (Nottingham)
Sexton, T.
Sheil, E.
Sheridan, H. B.
Shield, H.
Simon, Serjeant J.
Sinclair, Sir J. G. T.
Slagg, J.
Stanley, hon. E. L.
Stansfeld, rt. hon. J.
Stanton, W. J.
Stevenson, J. C.
Stewart, J.
Stuart, H. V.
Sullivan, T. D.
Summers, W.
Synan, E. J.
Tavistock, Marquess of
Taylor, P. A.
Tennant, C.
Thomasson, J. P.
Thompson, T. C.
Tillett, J. H.
Trevelyan, rt. hn. G. O.
Villiers, rt. hon. C. P.
Vivian, A. P.
Vivian, Sir H. H.

Walter, J.
Watkin, Sir E. W.
Waugh, E.
Webster, J.
Wedderburn, Sir D.
Whitbread, S.
Wiggin, H.
Williams, S. C. E.
Williamson, S.
Willis, W.

Willyams, E. W. B.
Wilson, C. H.
Wilson, I.
Wodehouse, E. R.
Woolf, S.

TELLERS.

Grosvenor, Lord R.
Kensington, Lord

NOES.

Allsopp, C.
Amherst, W. A. T.
Ashmead-Bartlett, E.
Aylmer, J. E. F.
Bailey, Sir J. R.
Balfour, A. J.
Barttelot, Sir W. B.
Bateson, Sir T.
Beach, rt. hn. Sir M. H.
Beach, W. W. B.
Bective, Earl of
Bentinck, rt. hn. G. C.
Birkbeck, E.
Blackburne, Col. J. I.
Boord, T. W.
Bourke, rt. hon. R.
Broadley, W. H. H.
Brodrick, hon. W. St. J. F.
Bulwer, J. R.
Burghley, Lord
Burrell, Sir W. W.
Buxton, Sir R. J.
Campbell, J. A.
Carden, Sir R. W.
Castlereagh, Viscount
Cecil, Lord E. H. B. G.
Chaplin, H.
Christie, W. L.
Clarke, E.
Coddington, W.
Cole, Viscount
Compton, F.
Cotton, W. J. R.
Cross, rt. hon. Sir R. A.
Davenport, H. T.
Davenport, W. B.
Dawnay, Col. hon. L. P.
Dawnay, hon. G. C.
Dickson, Major A. G.
Digby, Col. hon. E.
Dixon-Hartland, F. D.
Donaldson-Hudson, C.
Douglas, A. Akers-
Dyke, rt. hn. Sir W. H.
Ecroyd, W. F.
Elcho, Lord
Elliot, G. W.
Emlyn, Viscount
Estcourt, G. S.
Feilden, Maj.-Gen. R. J.
Fellowes, W. H.
Fenwick-Bisset, M.
Filmer, Sir E.
Finch, G. H.
Fletcher, Sir H.
Floyer, J.
Folkestone, Viscount
Forester, C. T. W.
Fort, R.

Foster, W. H.
Fowler, R. N.
Fremantle, hon. T. F.
Freshfield, C. K.
Galway, Viscount
Garnier, J. C.
Gibson, rt. hon. E.
Giffard, Sir H. S.
Goldney, Sir G.
Gorst, J. E.
Grantham, W.
Greene, E.
Gregory, G. B.
Grey, A. H. G.
Guest, M. J.
Hamilton, Lord C. J.
Hay, rt. hon. Admiral Sir J. C. D.
Herbert, hon. S.
Hicks, E.
Hildyard, T. B. T.
Holland, Sir H. T.
Hope, rt. hn. A. J. B. B.
Kennard, Col. E. H.
Kennaway, Sir J. H.
Knightley, Sir R.
Lacon, Sir E. H. K.
Lawrance, J. C.
Lechmere, Sir E. A. H.
Legh, W. J.
Leigh, R.
Leighton, S.
Lennox, Lord H. G.
Levett, T. J.
Lewisham, Viscount
Lindsay, Sir R. L.
Loder, R.
Long, W. H.
Lopes, Sir M.
Lowther, rt. hon. J.
Lowther, hon. W.
Mac Iver, D.
M'Garel-Hogg, Sir J.
Master, T. W. C.
Maxwell, Sir H. E.
Miles, C. W.
Miles, Sir P. J. W.
Monckton, F.
Morgan, hon. F.
Mowbray, rt. hn. Sir J. R.
Newdegate, C. N.
Newport, Viscount
Nicholson, W. N.
Noel, rt. hon. G. J.
North, Colonel J. S.
Northcote, H. S.
Northcote, rt. hn. Sir S. H.
Onslow, D.
Pell, A.

Pemberton, E. L.
Percy, Earl
Percy, Lord A.
Phipps, C. N. P.
Plunket, rt. hon. D. R.
Price, Captain G. E.
Raikes, rt. hon. H. C.
Rankin, J.
Rendlesham, Lord
Repton, G. W.
Ridley, Sir M. W.
Ritchie, C. T.
Rolls, J. A.
Ross, A. H.
Ross, C. C.
Round, J.
St. Aubyn, W. M.
Salt, T.
Schreiber, C.
Sclater-Booth, rt. hon. G.
Scott, Lord H.
Scott, M. D.

Selwin - Ibbetson, Sir H. J.
Severne, J. E.
Smith, rt. hon. W. H.
Stanley, rt. hn. Col. F.
Storer, G.
Sykes, C.
Talbot, J. G.
Taylor, rt. hn. Col. T. E.
Thynne, Lord H. F.
Tollemache, hon. W. F.
Tottenham, A. L.
Tyler, Sir H. W.
Warton, C. N.
Whitley, E.
Williams, Colonel O.
Wilmot, Sir J. E.
Wroughton, P.
Yorke, J. R.

TELLERS.

Thornhill, T.
Winn, R.

Bill *committed* for *Thursday.*

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

PREVENTION OF CRIME (IRELAND) BILL.—[BILL 157.]

(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. [FIRST NIGHT.]

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Sir William Harcourt.*)

MR. JOSEPH COWEN said, he had given Notice of an Amendment to the second reading of the Bill; but as it was the general desire of the House that that stage should be disposed of last week, he had not moved it. But he purposed to do so now. He had made a slight alteration in the Amendment; but it affected more its wording than its meaning. The mixed feeling of impatience and hopelessness with which the House entered upon the discussion of a fresh Irish Coercion Bill—the 50th in 80 years—was but natural. It was reasonable, too, that the wrath and horror excited by the tragedy in Phœnix Park should colour the discussion. The character of the victims, and the circumstances of the crime, combined to concentrate attention. But there had been murders as detestable and as dastardly, if not as daring, that had excited small comment and provoked little protest. Painful though these assassinations were, they did not constitute the most disturbing element of the situation. They were but the outward and visible signs of the existence of an irritating virus. The Government expected that the Bill before the House would bring a temporary relief. He did not share that opinion. He thought its effect would be the very opposite. But of this they might be sure—that until the social suppuration was drained off, there would be a constant recurrence of these eruptions. Few things in human history were more visibly related—as cause and effect—than Irish misery and Irish outrage. The one was the outcome of the other. Average Englishmen treated Irish politics as a pest, Irish grievances as a nuisance, and Irish history as a myth; but if they were to grasp the troubles that caused them such ceaseless disturbance, they would have to probe the evil to the bottom. Irish customs were not singularities to be stared at, or extravagances to be ridiculed; but were living and active forces, which had deeply and continuously affected national life. If the perennial discontent was to be appeased, these customs would have to be studied, and the drift of them understood. It was impossible to conceive that any number of men would deliberately run the risk of being hanged for the sole purpose of gratifying personal dislike. To argue in support of such an opinion was to suppose the existence of a diabolism in Irish character inconsistent with human nature. There must be a cause for these troubles. What was that cause? It originated partly in the injustice of the past, and partly in the suffering of the present. According to old Irish law, the land belonged, not to the individual, but the tribe. The Chiefs held their position as much by choice as by inheritance. Every Irish peasant had a share—it might be a small share, but he had a share—in the land he tilled. That right was inviolate and indefeasible. It was recognized by law and acted upon by custom. We overturned the clan system and established the landlord system. We drove the Irish Chiefs into beggary and exile, and the Irish peasants into the bogs and mountains. They were not sufficiently numerous to rebel; they were not sufficiently influential to make their voice heard in the Legislature; but they were powerful enough to combine, and they did so. They formed agrarian associations, after the model and according to the principles of English trades unions. The English workmen were accustomed at one time to cut the driving bands and bellows of black-legs. Irish peasants, in like manner, injured the property and attacked the lives of the landlords, or of tenants who refused to comply with their trade combinations. The Rapparees, the Levellers, the Whiteboys, and the Peep o' Day Boys of past times in the South of Ireland; the Hearts of Oak and the Hearts of Steel in the North; and the Ribbonmen and Moonlighters of modern days had all a common origin. The idea that animated them was identical. The purpose they sought to serve was the same. They were the trade societies of the peasantry. The excesses that they committed did not originate in depravity of disposition, or in mere Celtic restiveness. They were wild and unregulated protests against personal injustice and public grievances. Hon. Gentlemen talked as if the present state of Ireland was new. Unfortunately, there was no novelty in it. It was the normal condition of the country. Agitations and offences of the kind complained of were—he was going to say—as old as their round towers; certainly, they were as old as the Conquest and the Confiscations. The poet Spenser, and Payne, two of the adventurers planted in Munster after the Elizabethan settlement, described the state of Ireland in their day. If hon. Members would take the trouble to refer to the works of Spenser or Payne they would find the condition existing then was the exact counterpart of what existed now. If they took a chapter from Spenser's book, and altered the dates and names, it could be read as a description of the South and West of Ireland to-day. Nothing had changed. There was the same bitter feeling between landlord and tenant, the same cause of complaint, the same disorder, and the same class of outrages. Sir William Petty—the founder of the House of Lansdowne, and one who was largely concerned in the Cromwellian settlement—Mr. Wakepresent to pay the tenants' debts out of the public funds? The right hon. Member for Bradford had excused the introduction of the Bill on the ground of the exceptional state of things in Ireland; but, for his part, he saw no security that such a state of things would not recur. The Bill might be a necessity, but he could not reconcile it with his conscience to allow the measure to pass without entering his protest against its principle. He was convinced, if only men of great power and influence had the courage, that a better way could be found, without serious danger to the State, of meeting a difficulty which he was convinced that every loyal man and every Christian would wish to see met.

Mr. CHILDERS said, he had listened to the speech of the right hon. Gentleman who had just sat down with great interest, and he was bound to say that he agreed cordially with many of the sentiments that it contained. The spirit of that speech was good throughout, and many of the suggestions which the right hon. Gentleman had made were well worthy of the consideration of Parliament and of the country. Before touching upon the general principles of the measure, he should like to refer to the first reason which the right hon. Gentleman gave as weighing with him in opposition to the Bill. The right hon. Gentleman objected to the Bill, because, he said, it would enable a large number of the tenants to settle with their landlords, after which they would find themselves face to face with the shopkeepers, who would evict them without mercy. But if that was a sound objection to a scheme of gift, he failed to see how it would be met by making the gift a loan. If he correctly understood the right hon. Gentleman's suggestion, he wished to inaugurate a huge plan of bankruptcy, and that he desired it to be understood that he and his Friends would be prepared to sacrifice large sums of money to enable the people of Ireland to get rid of their liabilities. What he failed, however, to see was how, under the scheme of the right hon. Gentleman, these unfortunate people, who would be deprived of all their property, would benefit; and, moreover, the right hon. Gentleman had failed to point out in what manner his scheme could be rendered practicable. The right hon. Gentleman had, indeed, made one suggestion—namely, that some large and universal scheme of emigration should be adopted for the overcrowded Western districts of Ireland. He (Mr. Childers) knew something of the good side of emigration, and of the advantage it was to many poor people in this country to be enabled to settle in Colonies where the social institutions were similar to those here; and any such system of emigration, *primâ facie*, would receive his support. But had the right hon. Gentleman well weighed and considered the difficulties involved in emigration from Ireland? It raised questions relating to the religious sentiments of the Irish people, which up to the present time Parliament had been unable to solve. He did not hesitate to say, after having made inquiries on the subject in the West of Ireland, that unless some security was given that their religious connections would not be broken off, emigration would be always a violation of the wishes of large sections of the Irish people. If it were possible to mature a sound system of emigration from the overcrowded districts of Ireland, it would receive no stronger support than from himself. The suggestion of the right hon. Gentleman as to a fuller explanation of what was meant by a "hanging gale," in Sub-section 3 of the 1st clause of the Bill, would, no doubt, receive attention in Committee. There was a peculiarity in the present debate to which he wished to call attention. Three Notices of Amendment were given by the Opposition. Of these the third had been adopted by that Party. The first Amendment, which certainly had at one time the countenance of the Leader of the Opposition, was a general one, declaring that "no gift of public money" would effect the objects of the Bill; the second said that a contribution of public money for this purpose "should, in the present circumstances, take the shape of a loan, and not of a gift." The Amendment now under discussion was still more limited, because it stated that—

> "No payment in respect of arrears of rent in Ireland should be made by way of gift, if that payment was to be a charge on the Consolidated Fund."

From this he inferred that the Opposition were not prepared to test the principle involved in the first and second Amendments. The right hon. Gentleman, in fact, said that his Amendment raised the "narrowest possible issue," and that it did not prohibit payment by way of gift from the Church Fund. He went even further, and said that, if the Church Fund was not sufficient for these payments by way of gift, the balance of the £2,000,000 might be charged on Irish land, and that a rate of 1*d.* in the pound for six years on Irish land would meet the £400,000 or £500,000 required to be raised. But was it not evident from this that the Amendment before the House was unreal? It did not touch the real question. It was intended merely to catch votes. It did not contest with the Government the principle of the Bill. It raised only a side issue, which, judging from the divisions at the previous Sitting of the House, did not commend itself to the approval of the House. They were not discussing the real points of the present Bill. The right hon. Gentleman said he would give them an illustration from former transactions of this kind, and proposed that the advances should be made from the Consolidated Fund by way of a loan, in order to express the intention of Parliament, rather than with a view of recovering the money after the loans were made. The right hon. Gentleman said this had been done with regard to the tithe loans, a portion of which was not repaid, while another portion was repaid to only a small extent. Was not this, then, an unreal proposal if founded on such precedents? The right hon. Gentleman also objected to the Bill on the ground of the present state of the finances. He said there was no Surplus, and he referred to the fact that they were paying £500,000 a-year to help the taxes of India. But who had brought upon them that charge? The Vote in Aid of the Finances of India had become necessary solely in consequence of the unfortunate war waged by right hon. Gentlemen opposite—a war with regard to which the country had expressed its distinct disapproval. He must now refer to the statements of the hon. Member for Downpatrick (Mr. Mulholland), than whom no one was better informed with regard to the financial affairs connected with the late Established Irish Church. The hon. Gentleman had referred to the unsatisfactory condition of the Church Fund, and he said that the fund's assets were not in excess of its liabilities, and that it was impossible to look to it as a means of support. It was said that the Report of the Commissioners contained no balance-sheet. He had listened attentively to the hon. Member, and he had by him the accounts of the Irish Church Fund; and he thought it was right that the statement of the hon. Member in this particular should be corrected as soon as possible. From the Report of the 1st of November, 1880, he found that the estimated present value of the Church Estate, before later charges had been placed on it, was £12,400,000. The liabilities were—Loan from National Debt Commission, £5,600,000; other liabilities, £300,000; total, £5,900,000; making the surplus £6,500,000. The subsequent charges were—Intermediate education, £1,000,000; pensions of schoolmasters, £1,300,000; the loss to Estate by the relief of distress advances being made at 1 per cent, £550,000; total, £2,850,000; leaving a balance of £3,650,000. Then they must take this as subject to estimated depreciation on £12,400,000 from non-payment of rent, and he did not pretend to say how much this might be, but if even 10 per cent, it left a large balance. He next turned to the present position of the income. The present income, according to the Commissioners' Report, was £562,000, to which must be added repayment of advances for distress during 35 years, £49,000; making together £611,000. On the other side of the account there were sundry charges, £61,500; interest on £500,000 borrowed, £17,500; annuity for 25 years, to replace loan from Commission, £295,700; teachers' pensions, £39,000; intermediate education, £32,500; Royal University, £20,000; relief of distress bonds, £45,500; total, £511,700. The income would gradually fall in 40 years from £562,000 to £467,000, and 10 years afterwards to £293,000. The expenditure, after 25 years, would fall to £216,000. The proposed method of dealing with the loan of £2,000,000, if the whole of that were considered to be chargeable on the Church Fund, would be to extend the annuity from 25 years to 35 years, the term of the repayment of the instalments of the advances for the relief of distress, and to create a similar annuity for the £500,000 which remained due to the National Debt Commissioners. The charge would then be £262,600, instead of £312,200, showing a diminution of charge of £50,600. If that were done, and £62,500 were the charge for the interest of the £2,000,000, and 5 per cent were deducted for non-receipt of income, what would be the surplus? The Actuarial Report was that the surplus available to pay off the £2,000,000 would be from £45,000 in 1885 to £28,000 in 1915, the maximum being £57,000 in 1905. If those figures were correct, it was evident that the Church Fund would well bear the £1,500,000 charge which it was proposed to place upon it. With regard to the ascertaining the inability to pay of the persons to whom advances were made, a strong observation had been made by the right hon. Gentleman (Mr. W. H. Smith) to the effect that those who did not receive any portion of the public money, but who were of the same class as those who did, would have a grievance. But that was a complaint which could equally be brought against the Poor Law, and almost in every case in which public money reached some hands and not others. The noble Lord the Member for Middlesex (Lord George Hamilton) had twitted the Government with their inability to say the same thing twice. Last year, the noble Lord said the Government maintained that it would not be possible to demand that a tenant should prove his inability to pay rent, but this year they required such proof. Well, that a tenant should be required to prove his inability to pay was advocated last year by the noble Lord himself and the right hon. Baronet the Member for South-West Lancashire (Sir R. Assheton Cross); and he held that it was hard that the Government should be taken to task by the noble Lord for adopting after consideration the suggestion which he and the Leaders of his Party had put forward. The Government had been asked, with reference to the question of a tenant's inability to pay rent, whether he would have to strip himself of his tenant right before claiming to be in that condition? If a tenant, in order to pay, had to deprive himself of his holding altogether, so as to be no longer a tenant, then that would be inconsistent with the objects of the Bill; but if it continued to be what in business phraseology was called "a going concern," but would bear no further burden, then inability to pay might be proved. The hon. Member for East Surrey (Mr. Grantham) had said that the first necessity for Ireland was an improved class of tenants; and so far as legislation could effect that object, there was ground for believing that under the operation of the Land Act, aided by this Bill, the class of tenants in Ireland would be improved. The main question with regard to this Bill was whether the advance to be made in relief of the tenants should be made by way of loan or as a gift? The right hon. Gentleman opposite said that nobody was for the principle of gift and everybody in favour of that of loan. He thought, on the contrary, that everybody was for gift, all the various proposals that had been made as to the principle of loan having contained in them the element of gift. One plan had been strongly urged into which the element of gift largely entered—namely, the proposal of the hon. Member for Cork County (Mr. Shaw)—that three-fourths of all arrears up to November, 1880, should be lent for a period of 35 years at 1 per cent, without any limit as to the amount of rent or the number of years during which the arrears had accumulated, or any distinction as to whether the tenant was able to pay or not. Having made a calculation as to the amount of money which would have to be advanced in order to carry out that plan, he (Mr. Childers) found it would probably amount to £6,000,000, of which £2,000,000 would be a gift. So that the difference between the hon. Member's proposal and that of the Government was that while the former would involve as large a gift as the Government proposed to give, it would make the State a creditor to the tenants to the extent of £4,000,000 more, to be spread over several hundred thousand debtors and during a period of 35 years. He pitied the Government that would adopt such a proposal. The hon. Member for Downpatrick (Mr. Mulholland) used an expression which surprised him—namely, that the lending of money without interest was really an operation on a sound basis. He did not know whether the hon. Member would apply that in private life; he should think not. His right hon. Friend the late Chief Secretary made a remark as to the persons by whom this Bill was to be administered—that was to say, the persons who would have to decide upon the ability to pay. As that was a matter which they would be able to discuss well in Committee, he (Mr. Childers) would not enter upon it now. However they might differ upon the question whether this Bill was of little or of great importance, he firmly believed its operation would be beneficial. The judgments given under the Land Act showed that, on the average, rents had been excessive; and that being acknowledged, it seemed but reasonable, after the three years' famine, that the Government should assist the tenants to pay the rent which accrued during that disastrous time. As Parliament had passed a measure for the protection of tenants with regard to the future, it did not appear to be unreasonable that Parliament should, for the purpose of making an adjustment between landlords and tenants, pass another measure dealing with the past; and, therefore, he hoped the House would pass this Bill.

MR. J. LOWTHER: I had not intended to address any observations this afternoon to the House, and I should not have done so had it not been for the very cordial, though somewhat unusual, invitation addressed to me at an early hour this morning by the Prime Minister. I had intended, had time permitted, to have addressed a few words to the House last night with regard to this Bill. I was about to have stated on my own part, while fully agreeing with my right hon. Friend the Member for North Hampshire (Mr. Sclater-Booth) as to the preference for a loan over that of a gift, that it appeared to me that it was comparatively a matter of detail. My objection to the measure is far antecedent to any distinctions between a loan and a gift. I object myself to that which I consider is a distinct encouragement to dishonesty and a premium placed upon fraud, for the encouragement of the tenants who, during exceptionally good years, have been able to pay their rents, and who have chosen not to do so. The right hon. Gentleman, who has only a moment since left his place, intimated that I made use of expressions outside the walls of this House which I was not prepared to make in this Assembly. Perhaps the right hon. Gentleman will be returning directly, and I will confine myself for a few minutes to observations with regard to the Bill itself. This Bill, in my opinion, contains one great defect, in so far as the only means for ascertaining whether the tenant is or is not a fraudulent debtor or a person in adversity is a reference to the Commission—to that public body created under the Land Act, which has not yet succeeded in inspiring the public with any confidence. Sir, I was observing that the Prime Minister, who is now in his place, referred to certain remarks of mine in a place other than this House, to which he appeared to take exception. He has not, so far, favoured me with a reference to the particular remarks to which he refers, although I see that he has sources of information at hand. I have to remind the House and the right hon. Gentleman that I addressed a very few words to the House on the announcement made by the right hon. Gentleman —now some three weeks ago. My words were few; but I remember that I said that the announcement made by the right hon. Gentleman was, in my opinion, an abdication on the part of the Government *de jure* in favour of the Government *de facto*, and that the arrangement announced would be regarded throughout the length and breadth of the country as an ignominious surrender to the forces of lawlessness and crime. Those were the words of which I made use in this House, and I am not aware that elsewhere I have receded from them, or, I am bound to say, improved upon them. Perhaps the right hon. Gentleman might kindly call my attention to the particular remarks to which he takes exception. If the right hon. Gentleman gives me a reference, I will see whether I have succeeded in obtaining the information which he desires. I find during the same speech I spoke of it in these——

MR. GLADSTONE here made an observation which was inaudible in the Gallery.

MR. J. LOWTHER: What date? Will the right hon. Gentleman kindly give me the date?

MR. GLADSTONE: On May the 18th.

MR. J. LOWTHER: Well, Sir, I think, perhaps, it would be the meeting at Keighley.

MR. GLADSTONE: It is to that I would call the right hon. Gentleman's attention if he has been correctly reported; it is on the subject of the conduct of the Government in relation to the release of the Members of Parliament and the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster). I will not give him the reference unless they are accurately reported. Under the head of "Mr. Lowther at Bradford," the right hon. Gentleman deplored "the weakness and vacillation of the Member for Bradford;" and, having done that, he goes on to account for it. He found the cause for that weakness and vacillation—namely, "the treacherous action of Mr. Forster's Colleagues." He said—

> "Mr. Forster was a good man struggling with adversity; he had disloyal Colleagues, who were conducting clandestine negotiations to a great extent wholly unknown to him, and machinations were elaborated to oust him from the Cabinet."

I wish to know whether the right hon. Gentleman is correctly reported?

Mr. J. LOWTHER: They are substantially accurate, and certainly, as far as my information enables me to form an opinion, they are accurate still. What are the facts? As announced by various Ministers to this House, communications were taking place between a certain Member of the Cabinet and an Irish Member of Parliament without, so far as evidence has reached me, the concurrence of the right hon. Gentleman then the Chief Secretary for Ireland. The right hon. Gentleman has been asked several times whether he is prepared to lay those documents on the Table. I must own myself that if I had possessed a Colleague who was capable of conducting communications in any shape or form behind my back I should have taken most serious exception to his course. But what certainly appears on the face of the somewhat disjointed communications which have from time to time been extracted from Members of the Government? The House must arrive at the conclusion that communications had taken place between the right hon. Gentleman the Member for Bradford and the hon. Member for Clare (Mr. O'Shea), and that certain correspondence had taken place.

Lord EDMOND FITZMAURICE rose to Order. He wished to know whether the observations which the right hon. Gentleman was making were in Order, as being germane to the Bill under discussion?

Mr. SPEAKER: The observations of the right hon. Gentleman are not germane to the Bill under discussion, and his observations can only be received in the form of a personal explanation. If the House thinks proper to receive the observations in that sense, no doubt it will allow him to make the observations; but they are foreign to the subject-matter of the Bill.

Mr. J. LOWTHER: The right hon. Gentleman has quoted words which I admit to be substantially accurate. I have a different newspaper here, with, perhaps, a slightly varied report; but I do not care to go into details. I believe the impression upon my mind is shared by the great bulk of the inhabitants of the United Kingdom.

Mr. JOHN BRIGHT: Especially in Yorkshire.

Mr. J. LOWTHER: The right hon. Gentleman the Chancellor of the Duchy of Lancaster says, "Especially in Yorkshire." I think if the right hon. Gentleman consults persons holding his own political opinion in that Division of Yorkshire, to which probably he more especially refers, I think he will find that opinion widely entertained; and that a certain political event, to which he, perhaps, intended to refer, was to some appreciable extent influenced by the views entertained by many intelligent persons with regard to transactions of this kind. I have no wish to stand in the way of the House and a division; but I felt myself bound, in response to the invitation of the right hon. Gentleman, to state that any statement I make outside the House I am perfectly willing, so far as it is germane to the discussion, to maintain in this House. If the right hon. Gentleman will produce the documents, and can assure me that the right hon. Member for Bradford was consulted during all the stages in these negotiations, both written and oral, which have taken place between his Colleagues or any of his Colleagues and any Irish Members, I will gladly say that I will withdraw.

Question put.

The House *divided*:—Ayes 296; Noes 181: Majority 115.—(Div. List, No. 98.)

Mr. STORER rose, and was about to address the Chair, when——

Mr. SPEAKER pointed out to the hon. Member that if his desire in rising was to debate the question, the second reading must be postponed till the evening. He inquired whether that was the object of the hon. Member?

Mr. STORER said, he did not wish to delay the division; but there had been no protest made against the Bill on behalf of the agricultural interest. He wished earnestly to make that protest.

Main Question put, "That the Bill be now read a second time."

The House *divided*:—Ayes 269; Noes 157: Majority 112.

AYES.

Acland, C. T. D.
Agnew, W.
Ainsworth, D.
Allen, H. G.
Amory, Sir J. H.
Armitstead, G.
Arnold, A.
Ashley, hon. E. M.
Balfour, Sir G.
Balfour, J. B.
Balfour, J. S.
Baring, T. C.
Baring, Viscount
Barnes, A.
Barran, J.
Biddulph, M.
Biggar, J. G.
Blake, J. A.
Blennerhassett, R. P.
Bolton, J. C.
Borlase, W. C.
Brand, H. R.
Brassey, H. A.
Brassey, Sir T.
Brett, R. B.
Bright, rt. hon. J.
Bright, J. (Manchester)
Brinton, J.
Broadhurst, H.
Brooks, M.
Brown, A. H.
Bruce, rt. hon. Lord C.
Bruce, hon. R. P.
Bryce, J.
Burt, T.
Buszard, M. C.
Butt, C. P.
Byrne, G. M.
Caine, W. S.
Callan, P.
Cameron, C.
Campbell-Bannerman, H.
Carbutt, E. H.
Carington, hon. Col. W. H. P.
Causton, R. K.
Cavendish, Lord E.
Chamberlain, rt. hn. J.
Chambers, Sir T.
Cheetham, J. F.
Childers, rt. hn. H.C.E.
Clarke, J. C.
Clifford, C. C.
Cohen, A.
Collings, J.
Collins, E.
Colthurst, Col. D. La T.
Commins, A.
Corbet, W. J.
Corbett, J.
Cotes, C. C.
Courtney, L. H.
Cowan, J.
Cowper, hon. H. F.
Craig, W. Y.
Creyke, R.
Cropper, J.
Cross, J. K.
Cunliffe, Sir R. A.
Currie, Sir D.
Davey, H.
Davies, D.
Davies, R.
De Ferrieres, Baron
Dickson, T. A.
Dilke, Sir C. W.
Dillon, J.
Dillwyn, L. L.
Dodds, J.
Dodson, rt. hon. J. G.
Duckham, T.
Dundas, hon. J. C.
Earp, T.
Ebrington, Viscount
Edwards, P.
Errington, G.
Evans, T. W.
Farquharson, Dr. R.
Fawcett, rt. hon. H.
Ferguson, R.
Findlater, W.
Fitzmaurice, Lord E.
Flower, C.
Foljambe, C. G. S.
Foljambe, F. J. S.
Forster, Sir C.
Forster, rt. hon. W. E.
Fry, L.
Fry, T.
Givan, J.
Gladstone, rt. hn. W.E.
Gladstone, H. J.
Gladstone, W. H.
Glyn, hon. S. C.
Grafton, F. W.
Grant, A.
Grenfell, W. H.
Gurdon, R. T.
Hamilton, J. G. C.
Hartington, Marq. of
Hastings, G. W.
Hayter, Sir A. D.
Healy, T. M.
Henderson, F.
Heneage, E.
Henry, M.
Herschell, Sir F.
Hibbert, J. T.
Hill, T. R.
Holden, I.
Hollond, J. R.
Holms, J.
Hopwood, C. H.
Howard, J.
Illingworth, A.
Inderwick, F. A.
James, C.
James, Sir H.
James, W. H.
Jardine, R.
Jenkins, D. J.
Jenkins, Sir J. J.
Johnson, E.
Johnson, rt. hon. W. M.
Kinnear, J.
Labouchere, H.
Laing, S.
Lalor, R.
Lawrence, Sir J. C.
Lawson, Sir W.
Lea, T.
Leake, R.
Leamy, E.
Leatham, W. H.
Lee, H.
Leeman, J. J.
Lefevre, right hon. G. J. S.
Leigh, hon. G. H. C.
Lloyd, M.
Lubbock, Sir J.
Lyons, R. D.
M'Arthur, A.
M'Arthur, W.
M'Carthy, J.
M'Clure, Sir T.
M'Coan, J. C.
Macfarlane, D. H.
M'Intyre, Æneas J.
M'Kenna, Sir J. N.
Mackie, R. B.
Mackintosh, C. F.
M'Lagan, P.
M'Laren, C. B. B.
M'Minnies, J. G.
Magniac, C.
Mappin, F. T.
Marjoribanks, E.
Martin, P.
Martin, R. B.
Marum, E. M.
Mason, H.
Matheson, Sir A.
Maxwell-Heron, J.
Meldon, C. H.
Mellor, J. W.
Milbank, Sir F. A.
Molloy, B. C.
Monk, C. J.
Morgan, rt. hn. G. O.
Morley, S.
Mundella, rt. hon. A. J.
Nelson, I.
O'Beirne, Major F.
O'Brien, Sir P.
O'Connor, A.
O'Connor, T. P.
O'Conor, D. M.
O'Donoghue, The
O'Gorman Mahon, Col. The
O'Kelly, J.
O'Shaughnessy, R.
O'Shea, W. H.
O'Sullivan, W. H.
Paget, T. T.
Palmer, C. M.
Palmer, G.
Palmer, J. H.
Parker, C. S.
Parnell, C. S.
Pease, A.
Peddie, J. D.
Pennington, F.
Philips, R. N.
Playfair, rt. hon. L.
Porter, A. M.
Portman, hn. W. H. B.
Potter, T. B.
Powell, W. R. H.
Power, J. O'C.
Power, R.
Pugh, L. P.
Pulley, J.
Ralli, P.
Ramsay, J.
Ramsden, Sir J.
Rathbone, W.
Redmond, J. E.
Reed, Sir E. J.
Reid, R. T.
Richardson, J. N.
Richardson, T.
Roberts, J.
Rogers, J. E. T.
Russell, C.
Russell, G. W. E.
Russell, Lord A.
Rylands, P.
Samuelson, H.
Seely, C. (Nottingham)
Sexton, T.
Sheil, E.
Sheridan, H. B.
Shield, H.
Simon, Serjeant J.
Sinclair, Sir J. G. T.
Slagg, J.
Stanley, hon. E. L.
Stansfeld, rt. hon. J.
Stanton, W. J.
Stevenson, J. C.
Stewart, J.
Stuart, H. V.
Sullivan, T. D.
Summers, W.
Synan, E. J.
Tavistock, Marquess of
Taylor, P. A.
Tennant, C.
Thomasson, J. P.
Thompson, T. C.
Tillett, J. H.
Trevelyan, rt. hn. G. O.
Villiers, rt. hon. C. P.
Vivian, A. P.
Vivian, Sir H. H.

Walter, J.
Watkin, Sir E. W.
Waugh, E.
Webster, J.
Wedderburn, Sir D.
Whitbread, S.
Wiggin, H.
Williams, S. C. E.
Williamson, S.
Willis, W.
Willyams, E. W. B.
Wilson, C. H.
Wilson, I.
Wodehouse, E. R.
Woolf, S.

TELLERS.
Grosvenor, Lord R.
Kensington, Lord

NOES.

Allsopp, C.
Amherst, W. A. T.
Ashmead-Bartlett, E.
Aylmer, J. E. F.
Bailey, Sir J. R.
Balfour, A. J.
Barttelot, Sir W. B.
Bateson, Sir T.
Beach, rt. hn. Sir M. H.
Beach, W. W. B.
Bective, Earl of
Bentinck, rt. hn. G. C.
Birkbeck, E.
Blackburne, Col. J. I.
Boord, T. W.
Bourke, rt. hon. R.
Broadley, W. H. H.
Brodrick, hon. W. St. J. F.
Bulwer, J. R.
Burghley, Lord
Burrell, Sir W. W.
Buxton, Sir R. J.
Campbell, J. A.
Carden, Sir R. W.
Castlereagh, Viscount
Cecil, Lord E. H. B. G.
Chaplin, H.
Christie, W. L.
Clarke, E.
Coddington, W.
Cole, Viscount
Compton, F.
Cotton, W. J. R.
Cross, rt. hon. Sir R. A.
Davenport, H. T.
Davenport, W. B.
Dawnay, Col. hon. L. P.
Dawnay, hon. G. C.
Dickson, Major A. G.
Digby, Col. hon. E.
Dixon-Hartland, F. D.
Donaldson-Hudson, C.
Douglas, A. Akers-
Dyke, rt. hn. Sir W. H.
Ecroyd, W. F.
Elcho, Lord
Elliot, G. W.
Emlyn, Viscount
Estcourt, G. S.
Feilden, Maj.-Gen. R. J.
Fellowes, W. H.
Fenwick-Bisset, M.
Filmer, Sir E.
Finch, G. H.
Fletcher, Sir H.
Floyer, J.
Folkestone, Viscount
Forester, C. T. W.
Fort, R.
Foster, W. H.
Fowler, R. N.
Fremantle, hon. T. F.
Freshfield, C. K.
Galway, Viscount
Garnier, J. C.
Gibson, rt. hon. E.
Giffard, Sir H. S.
Goldney, Sir G.
Gorst, J. E.
Grantham, W.
Greene, E.
Gregory, G. B.
Grey, A. H. G.
Guest, M. J.
Hamilton, Lord C. J.
Hay, rt. hon. Admiral Sir J. C. D.
Herbert, hon. S.
Hicks, E.
Hildyard, T. B. T.
Holland, Sir H. T.
Hope, rt. hn. A. J. B. B.
Kennard, Col. E. H.
Kennaway, Sir J. H.
Knightley, Sir R.
Lacon, Sir E. H. K.
Lawrance, J. C.
Lechmere, Sir E. A. H.
Legh, W. J.
Leigh, R.
Leighton, S.
Lennox, Lord H. G.
Levett, T. J.
Lewisham, Viscount
Lindsay, Sir R. L.
Loder, R.
Long, W. H.
Lopes, Sir M.
Lowther, rt. hon. J.
Lowther, hon. W.
Mac Iver, D.
M'Garel-Hogg, Sir J.
Master, T. W. C.
Maxwell, Sir H. E.
Miles, C. W.
Miles, Sir P. J. W.
Monckton, F.
Morgan, hon. F.
Mowbray, rt. hn. Sir J. R.
Newdegate, C. N.
Newport, Viscount
Nicholson, W. N.
Noel, rt. hon. G. J.
North, Colonel J. S.
Northcote, H. S.
Northcote, rt. hn. Sir S. H.
Onslow, D.
Pell, A.
Pemberton, E. L.
Percy, Earl
Percy, Lord A.
Phipps, C. N. P.
Plunket, rt. hon. D. R.
Price, Captain G. E.
Raikes, rt. hon. H. C.
Rankin, J.
Rendlesham, Lord
Repton, G. W.
Ridley, Sir M. W.
Ritchie, C. T.
Rolls, J. A.
Ross, A. H.
Ross, C. C.
Round, J.
St. Aubyn, W. M.
Salt, T.
Schreiber, C.
Sclater-Booth, rt. hon. G.
Scott, Lord H.
Scott, M. D.
Selwin-Ibbetson, Sir H. J.
Severne, J. E.
Smith, rt. hon. W. H.
Stanley, rt. hn. Col. F.
Storer, G.
Sykes, C.
Talbot, J. G.
Taylor, rt. hn. Col. T. E.
Thynne, Lord H. F.
Tollemache, hon. W. F.
Tottenham, A. L.
Tyler, Sir H. W.
Warton, C. N.
Whitley, E.
Williams, Colonel O.
Wilmot, Sir J. E.
Wroughton, P.
Yorke, J. R.

TELLERS.
Thornhill, T.
Winn, R.

Bill *committed* for *Thursday.*

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

PREVENTION OF CRIME (IRELAND) BILL.—[BILL 157.]

(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. [FIRST NIGHT.]

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Sir William Harcourt.*)

MR. JOSEPH COWEN said, he had given Notice of an Amendment to the second reading of the Bill; but as it was the general desire of the House that that stage should be disposed of last week, he had not moved it. But he purposed to do so now. He had made a slight alteration in the Amendment; but it affected more its wording than its meaning. The mixed feeling of impatience and hopelessness with which the House entered upon the discussion of a fresh Irish Coercion Bill—the 50th in 80 years—was but natural. It was reasonable, too, that the wrath and horror excited by the tragedy in Phœnix Park should colour the discussion. The character of the victims, and the circumstances of the crime, combined to concentrate attention. But there had been murders as detestable and as dastardly, if not as daring, that had excited small comment and provoked little protest. Painful though these assassinations were, they did not constitute the most disturbing element of the situation. They were but the outward and visible signs of the existence of an irritating virus. The Government expected that the Bill before the House would bring a temporary relief. He did not share that opinion. He thought its effect would be the very opposite. But of this they might be sure—that until the social suppuration was drained off, there would be a constant recurrence of these eruptions. Few things in human history were more visibly related—as cause and effect—than Irish misery and Irish outrage. The one was the outcome of the other. Average Englishmen treated Irish politics as a pest, Irish grievances as a nuisance, and Irish history as a myth; but if they were to grasp the troubles that caused them such ceaseless disturbance, they would have to probe the evil to the bottom. Irish customs were not singularities to be stared at, or extravagances to be ridiculed; but were living and active forces, which had deeply and continuously affected national life. If the perennial discontent was to be appeased, these customs would have to be studied, and the drift of them understood. It was impossible to conceive that any number of men would deliberately run the risk of being hanged for the sole purpose of gratifying personal dislike. To argue in support of such an opinion was to suppose the existence of a diabolism in Irish character inconsistent with human nature. There must be a cause for these troubles. What was that cause? It originated partly in the injustice of the past, and partly in the suffering of the present. According to old Irish law, the land belonged, not to the individual, but the tribe. The Chiefs held their position as much by choice as by inheritance. Every Irish peasant had a share—it might be a small share, but he had a share—in the land he tilled. That right was inviolate and indefeasible. It was recognized by law and acted upon by custom. We overturned the clan system and established the landlord system. We drove the Irish Chiefs into beggary and exile, and the Irish peasants into the bogs and mountains. They were not sufficiently numerous to rebel; they were not sufficiently influential to make their voice heard in the Legislature; but they were powerful enough to combine, and they did so. They formed agrarian associations, after the model and according to the principles of English trades unions. The English workmen were accustomed at one time to cut the driving bands and bellows of black-legs. Irish peasants, in like manner, injured the property and attacked the lives of the landlords, or of tenants who refused to comply with their trade combinations. The Rapparees, the Levellers, the Whiteboys, and the Peep o' Day Boys of past times in the South of Ireland; the Hearts of Oak and the Hearts of Steel in the North; and the Ribbonmen and Moonlighters of modern days had all a common origin. The idea that animated them was identical. The purpose they sought to serve was the same. They were the trade societies of the peasantry. The excesses that they committed did not originate in depravity of disposition, or in mere Celtic restiveness. They were wild and unregulated protests against personal injustice and public grievances. Hon. Gentlemen talked as if the present state of Ireland was new. Unfortunately, there was no novelty in it. It was the normal condition of the country. Agitations and offences of the kind complained of were—he was going to say—as old as their round towers; certainly, they were as old as the Conquest and the Confiscations. The poet Spenser, and Payne, two of the adventurers planted in Munster after the Elizabethan settlement, described the state of Ireland in their day. If hon. Members would take the trouble to refer to the works of Spenser or Payne they would find the condition existing then was the exact counterpart of what existed now. If they took a chapter from Spenser's book, and altered the dates and names, it could be read as a description of the South and West of Ireland to-day. Nothing had changed. There was the same bitter feeling between landlord and tenant, the same cause of complaint, the same disorder, and the same class of outrages. Sir William Petty—the founder of the House of Lansdowne, and one who was largely concerned in the Cromwellian settlement—Mr. Wakefield, Mr. Plowden, and Arthur Young also described Ireland at different periods, and the descriptions they gave tallied with those that were now being given from day to day. Even Mr. Thackeray, writing at a still more recent date, and with no special leaning towards the Irish people, accounted for the disturbances in the same way that the other writers referred to had done. There was no difference of opinion amongst persons who had examined the subject amply and dispassionately. Suffering produced the discontent, and the discontent the crime. The evictions which were now being carried out upon such an extended scale fed the disorder. Evictions, indeed, were but spawning-grounds for it; but a more striking circumstance was this—that there was no country in Europe, whose people were mainly dependent on agriculture, where like troubles had not arisen. The peasant war in Germany, the conflict in France previous to the Revolution, the farmers' struggles in Denmark and in Hungary, were but reproductions of the state of things that existed in Ireland. The people were divorced from the soil, ground down by their landlords, and engaged in a perpetual struggle between starvation and pauperism. They resorted to the same remedies to better their position. The same class of crimes existed there that they found in Ireland—injuring the landlords' property, burning the produce of recalcitrant tenants, and the maiming of their cattle. In Russia, at the present moment, a like state of affairs prevailed. A few days ago the Continental papers contained a long account of a struggle going forward in the South-East of Russia, which was, in character and design, exactly the same as that going on in the South-West corner of Ireland. The Russian peasants were shooting at their landlords, burning their dwellings, and injuring their cattle, just as Irish peasants, unfortunately, were doing. He was not citing these facts as a justification, or a palliation, of what took place in Ireland. But he was desirous that the House should understand that similar conditions of social life produced like results. In other countries in the West of Europe a beneficent change had taken place. The demands of the peasants had been complied with. There were now no struggles in France, Germany, Denmark, and Switzerland. The most turbulent populations, through a wise alteration in agrarian laws, had become the most conservative and law-abiding, and the most poverty-stricken had become the most prosperous. A like result would come when they applied to Ireland the same remedies that had been applied in France and Germany. Ireland was suffering from a severe agricultural depression, extending almost to famine. The effect of that distress should be removed, and permanent security in their holdings, as well as reasonable encouragement to labour, should be given to tenants. With these conditions a change like that which had taken place on the Continent would be experienced in Ireland. Hon. Gentlemen said there had been no troubles of this kind in England. That was true; but England was an exception. The people had been dissevered from the soil; but they had had other and profitable outlets for their energy. They had mining, manufacturing, and shipping industries to fly to. But if we had not possessed these outlets, we should have had troubles equivalent to those that existed in Ireland. The Government might rest assured that their coercion measures would be utterly ineffectual in dealing with these grievances. If crime was to be prevented, the cause of the crime must first be removed. They would learn, as other statesmen had learnt before them, that prosperity alone would banish crime, and that contentment was the best policeman. But there were other disturbing elements in Ireland besides agrarian injustice. There were political differences which were more difficult to deal with than the social differences. However unpleasant it might be to Englishmen, they would have to face the question, and the sooner they faced it manfully the better it would be. Experience had shown how impossible it was to force laws from without upon another people while we ignored the customs or traditions of that people. Let them look at the mode in which they treated the different sections of the United Kingdom, and learn from that one of the causes of the chronic disaffection in Ireland. We conquered Wales. We subjugated the inhabitants by sheer force of arms. We overturned their independent system of Government, and we planted in their midst our own. But, having done so, we endeavoured, with fair success, to remove from amongst them everything that could revive or recall the recollection of our invasion and their conquest; and we succeeded. Wales was, and had been now for centuries, as legitimately a part of England as Northumberland. We dealt differently with Scotland. There we made a bargain, and the bargain was not brought about by fraud or force, but was deliberately entered into, and freely and fairly discussed and settled. The Scotch people consented to surrender a certain measure of national independence in consideration of their getting specified material advantages. They retained to themselves their Church, their Law Courts, their educational system, their local institutions — everything, in fact, which did not distinctly conflict with the Union. Scotch affairs were administered according to Scotch ideas, Scotch principles, and Scotch prejudices. After the Union the direction of affairs in Scotland was really more controlled by Scotchmen than immediately preceding it. And what had been the result? Scotland was one of the most loyal, contented, and prosperous sections of the British Empire. How had we acted in Ireland? We had neither fully conquered the country, nor had we really united it with us. We had established a nominal union of the Government; but we had got no genuine union of the people. We had set up a sort of artificial uniformity, and we called that unity; but it was hollow and unreal. We had thrust upon the Irish people an alien Church, a hateful system of land tenure, and a mode of law that was opposed to their traditions and conflicted with their interests. We governed Ireland by Englishmen, in accordance with English ideas; and we had as much discontent there as we had had content in Scotland. Every 10 years there was either an insurrection or an agitation broadening to the dimensions of an insurrection. The Government of Ireland resembled one of the fair cities on the slopes of Mount Vesuvius. It was a tenant at will to the volcano beneath. He did not question the good intentions of English statesmen. No one could be interested in Irish disorder. But he did question the wisdom of English policy. Conservatives had tried to govern Ireland according to Conservative principles; the Liberals had tried to govern her according to Liberal principles. Neither of them had succeeded, and for this simple reason—that the Irish people wanted to be governed according to their own principles. Their desire was to rule themselves, and it was natural. It was a commonplace in politics that men would submit to inconveniences inflicted by men of their own race and creed that they would not tolerate if forced upon them by strangers. Englishmen had a high idea of their own institutions; but they should recollect that all the world did not share in their estimate of things English. Take the present Government. No one would question their good intentions. He would make an even stronger statement than that. He believed the Prime Minister and his Colleagues were eagerly and ardently anxious to better the condition of Ireland, and, with restrictions, to assimilate the institutions to popular aspirations. He accorded to them all the credit for this desire that their most enthusiastic friends could claim for them. But what had they done quite recently? There had been four highly important Offices in the Irish Administration vacant—the Viceroyalty, the Chief Secretaryship, the Under Secretaryship, and the Head of the Constabulary. Every one of these places was filled up by Englishmen; and two, if not three, of the men appointed had never been in Ireland, and none of them had any knowledge of Irish life and customs derived from living in the country. The Government, as a consequence, was vested in the hands of men who were something more than strangers. Why was that? No one could say that there were not Irishmen qualified to fill these posts. For their numbers, the Irish race had produced more distinguished men than any other country in Europe. There was no nation of such limited extent that could count among its sons men so notable in arms, arts, literature, and administration. In every walk of life they had forced themselves into prominence. A few years ago, five of the English Colonies were governed by Irishmen, and four out of these five were rebels who had been driven out of the country for their political opinions. The idea, therefore, that there were not capable Irishmen for filling these four situations could not be entertained. Why, then, were they not selected? The fact—the damaging and dishonouring fact—ought to be stated broadly and plainly. Irishmen were not selected for these posts, because Liberal Irishmen could not be trusted to hold high political offices in their own country. They might grumble at such an unpleasant statement, but it was true. The Conservative Irishmen could be trusted, because they belonged to the garrison; but Liberal Irishmen, by their very liberality, were kept out of office in their own land by Liberal Englishmen. He would ask Liberal Members sitting near him what they would have said, thought, or done, if they had been treated as they had treated Ireland? Let them reverse the positions. Let them conceive England being the minor island and Ireland the major. What mode of speech would they have held if four Catholic Irishmen had been sent over from Dublin to rule Protestant Englishmen from the Horse Guards or from Scotland Yard? It required no stretch of imagination to conjure up the energetic protests that would have been made against such a proceeding. There were no Members of the House who voted with so much alacrity and seeming relish for every measure of repression for Ireland as the Scotch Members did. They never allowed an opportunity to pass without giving both voice and vote in favour of coercion. They were proud of their national history and expatiated on their achievements; but they had small sympathy for their struggling neighbours. How would they like to have Presbyterian Scotland governed by four Irish Catholics? Take the Bill before the House. It proposed to abolish trial by jury, to put down public meetings, to gag the Press, and to establish a wholesale system of police surveillance and intimidations. It vested the lives, property, and liberty of the Irish people virtually in one man and his myrmidons. That Bill had been drawn by a Government in which there was not a single Irishman except the Law Officers, whose position was Executive and not Administrative. It had been adopted, or would be adopted, by a House of Commons in which Irish Members were in an insignificant minority. It would be interpreted by English officials and enforced by English soldiers. He would ask hon. Members, dispassionately and calmly, to inquire of themselves what they would have said if such legislation had been initiated and carried into effect in their countries in a like manner? It needed no eloquence, no argument. It simply required a plain statement of these facts to revive all the race antipathies in the minds of the Irish peasants. The procedure of the Government over this Bill was more than sufficient to justify everything that was said about Ireland being a conquered country and being ruled as such, rather than as an integral part of the United Kingdom. A cardinal defect in our government of Ireland had been the transitory and incomplete character of our system of administration. The present Ministry had followed a Penelope policy. They had unwoven one month what they had woven the previous month. They came last Session to Parliament, and they said—"Ireland is suffering, and in consequence of suffering she is disturbed. Give us powers to crush the disturbance and cure the suffering." They got both. They got their Coercion Bill and their Land Bill, although those measures confronted the policy, principle, and prejudices of an important section of the House. What had they done with the powers? They promised us a great deal. During the first three months of 1881 there were 769 agrarian offences, and during the first three months of 1882 there were 1,417. During the first three months of 1881 there were 350 families containing 1,732 persons evicted. During the same period of 1882 there were 1,317 families evicted, containing 7,020 persons. Or, to put these figures in a sentence, there had been double as many agrarian offences with the Coercion Act as there were without it; and there had been nearly six times as many people evicted with the Land Act as without it. He did not wish to attach undue importance to statistics. He knew they were capable of varied interpretations; but, if the figures quoted did not condemn the combined policy of coercion and concession that the Ministry had pursued, he knew not what would. If those figures told them anything, they told them that coercion should be abandoned, and that the Land Act should be amended. There had been other political movements in Ireland of almost equal strength to the one now convulsing the country; but the present movement had features that none other possessed. It had resources that none of them had. It had behind it not only the Irish people at home, but the whole of the Irish race. The Irish in America and in the Colonies were as deeply interested and as largely concerned in the agitation now going forward as Irishmen in Connemara. The strength of this new factor in Irish agitation had not been gauged. It was an uncertain quantity, and it was a disturbing one. And this the English people would discover. After a painful period of suffering and emigration—when thousands of Irish peasants sailed for America—it was said by a writer of influence that they had left with a vengeance. That was true in a double sense. The peasants departed in large numbers, and they went with an envenomed bitterness in their hearts. They had done for themselves, for their country, and their race, a noble work in a new world. They had got political power, civic equality, and social influence; and the contrast between their improved position and the misery they had left only heightened their detestation of the injustice they had endured, and the destitution in which they had lived. They had resolved—and every honour to them for it — that their countrymen should not continue to oscillate between the poorhouse and starvation. They aided them to start a rebellion 15 or 16 years ago, and it failed. They had now aided them to initiate a revolution, and it bid fair to be successful. One of the objects of this new Bill was to stop intercourse between the Irish in America and the Irish in Ireland. The Government might as well try to stop the Gulf Stream. Irish politicians had had contact with other people before—with France and with Spain. But the intercourse there had been that of allies, and not of relatives. The Irish abroad were bound to those at home by the treble ties of kinship, and interest, and affection, and these were strong enough to break any prison bars. The influences were both subtle and potent, and they would override and defy any Coercion Bill, however deftly drawn. The Irish in America and in the Colonies had made up their minds upon two things — first, that their countrymen should be lifted out of that pinching poverty in which they had for generations subsisted; second, that the greatest disqualification for a man to take Office in the Government of his country should no longer be because he was a Liberal Irishman. Until these two points were conceded, the connection between the Irish in America and the Irish in Ireland would not be curtailed by any Coercion Bill that either this Government or any other Government could pass. Ministers would not take warning by their past failures. They were now entering upon the same course of procedure that they followed last year. Their mixture of repression and concession was condemned then by a small section of the House. Again and again they were told that the benefits of the Land Act—whatever benefits they were —would be more than neutralized by the irritation and exasperation engendered by the Coercion Act. But they would not listen. It was a satisfaction to him, to his hon. Friend the Member for the City of Durham (Mr. T. C. Thompson), and one or two others, that they had pertinaciously, determinedly, and bitterly opposed the Coercion Bill of last year. He had never—at any time when that measure had been before the House — either directly or indirectly, given a vote in its favour, or in favour of any of its collateral provisions. The late Chief Secretary scowled at them and scolded them; but they held on their course, uninfluenced by either the protests or the sneers of Ministers or their supporters. And what had been the result? The despised minority had turned out to be right. The late Chief Secretary admitted that his Coercion Bill had failed. The Government admitted it so completely that they had abandoned it. But they were going to repeat the old error. They were attempting a fresh Land Bill, and they were sending along with it a Coercion Bill of another character. He would have them to remember that the same men who told them last year that their Coercion Bill would fail were telling them with equal persistency that their present Coercion Bill would fail. It was in every way likely that 12 months hence the Government would be lamenting the failure of their new Bill, just as this year they were lamenting the failure of their last one. There were two points he had always insisted on against the Coercion Bill—first, that its administration would not be left, as the Government promised it should be, to the responsible officers of the Administration in Dublin or in London, but that it would drift into the hands of presumptuous Jacks in office, who would use its powers vindictively, and with a view of gratifying feelings of personal resentment and revenge. Certainly, the result had justified that contention. They had had scores of instances before the House to prove the correctness of that statement. He need only cite the case of Inspector Smith. That notorious constable had issued a Circular ordering those under his command to shoot men on suspicion, and that Circular was six weeks in force before the late Chief Secretary knew of its existence. There had been another case, too, that he had some personal knowledge of. He cited it as showing the utter inability of the Chief Secretary—or of his responsible assistants in Dublin—to grasp all the administration of a Coercion Act. It was impossible to conceive that one man, or half-a-dozen men, could familiarize themselves with all the circumstances that justified the arrest of 1,000 persons on suspicion. The case he wished to mention was this. There was a gentleman connected with the borough he represented—a man of education, character, and of the highest respectability—who was in Ireland during the latter months of last year. His name was Michael James Kelly. The Government wished to arrest a gentleman they called J. J. Kelly. Both the Mr. Kellys happened to belong to, or be connected with, Newry. The warrant was issued for the arrest of Mr. J. J. Kelly, but he succeeded in leaving the country. The officers, however, took Mr. Michael J. Kelly instead, put him in Armagh Gaol, and kept him there several months. Now, he would ask some of the ardent Liberal Coercionists behind him, how they would like to have been lodged in prison and kept there four or five months by mistake? And that was only one of scores, or rather hundreds, of instances that could be mentioned as to how the last Coercion Act was administered, and how the present one would be administered. Acts of cruelty of this kind were actually essential to the operation of such a measure. The brothers Lloyd—the Irish Haynaus—what had they not done? He would undertake to say that if these gentlemen had made a tenth portion of the assaults upon personal liberty in the North of England that they had made in Ireland there would have been an insurrection. And yet they were permitted to pursue their high-handed, intolerant, and overbearing course, not only without check, but with absolute encouragement. These had been the results of the old Coercion Act. The action of the new one would be equally reprehensible, and it would be equally out of the reach of the influence and control of the responsible Irish Ministers. The second objection to the measure of last year was that it destroyed legitimate political agitation, and led to the establishment of secret societies. Indeed, the Irish Viceroy candidly acknowledged that this had been done. Earl Cowper affirmed that although they had not put down agitation, they had driven it under the surface. He had always understood that physicians strove to bring diseases to the surface; because when they had them upon the skin they could measure them and master them much better than they could when beneath it. What applied to physical science applied to Government. But the late Irish Viceroy seemed to think differently. The present Bill would operate in this direction even worse than the last. No doubt, the speeches of his hon. Friends the Member for Tipperary (Mr. Dillon), or the Member for Sligo (Mr. Sexton), were inconvenient and sometimes troublesome; but they had infinitely better have these two Gentlemen speaking openly in the committee-room in Sackville Street—with a reporter at their elbows and a telegraph wire at the door, by whose instrumentality every word they said could be flashed to the farthest corners of the Kingdom in a few minutes—than have secret societies overrunning the country. The Government seemed to think differently. They had abolished open discussion in the Land League committee-rooms, and they had got in its place assassination in Phœnix Park. He scarcely thought, upon consideration, that even Ministers would admit that that was a change for the better. The Government was composed of men of ability, of political experience, and of knowledge; and yet, in spite of that, they undertook the fruitless task of putting down secret societies and assassinations by Coercion Bills. He could scarcely have believed it possible that there could have been serious politicians who would at this time of day have embarked in so hopeless an undertaking. History was time-teaching by example; but history gave them no hope for such an enterprize. There was great distress in this country immediately succeeding the war with France, and, as a result of the distress, there was great disorder. Drastic legislation was attempted to restrain it. Parliament passed, amongst other measures, the odious Six Acts. And what did they lead to? They culminated in the Cato Street Conspiracy. A similarly disastrous result might follow from the Act that the Government were now going to put in force in Ireland. There was no country in the world so beset with secret associations as Russia. Society there was honeycombed by them. The Czar had unlimited power. He could make a Coercion Bill every day—two, if he liked—and yet what was his position? He was a prisoner in his own Palace. His life was a burden to him. His Coronation, which ought to have taken place months ago, was to be delayed indefinitely, because he was afraid that wherever it was held the building would be undermined and blown into the air. Did the Government believe, after recent events, that they would be better able than the Emperor of Russia was to avoid assassinations and conspiracy by such a measure as that before the House? It would put down political agitation—that was clear enough. It would destroy the liberty of the Press, take away the right of public meeting, and create political silence throughout the South and West of Ireland. All that it would certainly do. But did they seriously think that was a desirable end to accomplish? Would it terrify assassins—men like those who, taking their lives in their hands, committed the terrible deed which took place a fortnight ago in Phœnix Park? Was it conceivable that the Government imagined any measure they could pass would intimidate men of that character? The lessons of history seemed to have very little effect upon Ministers. The Bourbons, the Bonapartes, and the Hapsburgs had carried out this policy of repression far more effectually than ever an English Ministry dared attempt to do. And with what result? They had sat upon the safety valve, and had been blown to pieces. The last exemplar of the class had had a tragic experience in his efforts to put down public opinion. He gagged the Press and shut up public meetings. He had at his command, not 30,000 troops, but 300,000. He had a Senate crammed with servile place-men, and a House of Deputies equally subservient. He had power almost superhuman, and it was backed by craft rivalling the power. Yet the outraged rights of human liberty laughed them all to scorn. A sharp, clear stroke of popular indignation smote the keystone of the arch of European despotism and shattered it to fragments. And our Government, and all Governments, might rest assured that their attempts to repress the legitimate and necessary expression of public opinion would end in equal disaster. They could win the Irish people's hearts by just laws, by equitable administration; but they never could win them—never deserved to win them—by measures as hateful and as odious as that under consideration. The hon. Gentleman concluded by moving the following Resolution:—

> "That while this House is desirous of aiding Her Majesty's Government in any measures which they can show to be necessary to adopt for preventing, detecting, and punishing crime, it disapproves of restrictions being imposed on the free expression of public opinion in Ireland."

MR. T. C. THOMPSON, in seconding the Amendment, attributed all their troubles in Ireland to misgovernment, for in the course of a long succession of years they had violated all the principles of government which had contributed so much to the greatness and glory of England. There was a grand old proverb on the Tyne, "that nothing is so queer as folk;" and, but for the facts before them, it would be difficult to imagine that they in that House of Commons should at that moment be resisting, and with little probability of success, a measure which struck at the rights of the people throughout this Empire. And those were the rights of free assemblage and free speech. It had been often observed, in the course of these discussions, that it was the first duty of a Government to maintain law and order. He would venture to differ from that proposition. He would venture to say that it was the first duty of a Government to maintain the security of its people on the firm basis of established law. Now, what was the established law? What did they find it rested upon? It might be said to rest on four mighty pillars, which had become part of the great fabric of the nation. The first was the sanctity of their home, which was everyone's castle; the next, freedom from arbitrary arrest and the personal liberty of the subject; the third, liberty of the Press; and, broader and stronger than the others, trial by jury. He was sure that the greatness of England was owing to her laws, built up by the Constitution on those great principles, and that whenever any effort had been made to break through them it had always been accompanied by evil and disaster. These were known, and were the Common Law of England—all, except, of course, the freedom of the Press—in this country before the arrival of the bastard William, with his legions of Normans. He tried to break them down, but failed, because they were too deeply rooted in the minds of the Saxon people. Other nations considered themselves our equals in civilization, and refinement, and progress; but if any trouble or emergency befell them they invariably looked to us for an example, and tried to imitate the popular institutions of England. But no nation had ever achieved such power as we had. We governed, far from our home, mighty peoples. We enjoyed at home unbridled freedom — freedom such as was never known elsewhere; but, by some strange idiosyncracy of our nature, in governing those dependent on us, we seemed always at first to break away from those grand principles which we had established for ourselves. That these great principles were no invention of to-day all our history proved. Thus, when Lord Mansfield spoke of the emancipation of the slave, he put forth no new opinion of his own, but declared only that which was and had ever been the principle of our Constitution. So, when Mr. Fox brought in his great Bill, and declared that libel was a question for the jury, and not for the Judge, he laid claim to nothing more than to declare what was a principle of our institutions. And so, when Lord Halifax tossed up his hat in the Court of King's Bench as soon as he heard the verdict of not guilty in the trial of the seven Bishops, it was not because a new principle of our Constitution was put forth; but because he found in that verdict a new proof of the reliance of our people on trial by jury. The present plan of the Government had often been tried before; but the result had always been unfortunate. We tried it with the Colonies of America, and with what result? Those Colonies were lost to us for ever. We tried it in Canada, and with what result? Many in that House remembered when Canada was on the verge of rebellion. But the moment we gave Canada the same institutions as our own, it became most loyal, and there was no people now more faithful to the English connection. Only the other day intimation was given that municipal institutions and efforts in the direction of self-government were to be extended to India; and it might, perhaps, be the strongest claim of our great Minister for the admiration of those who came after us that he first laid the foundation of true freedom in that splendid appanage of the Crown. For who did not feel that if we gave the people of India the same privileges as we enjoyed there would be no one, from the Himalayas to Ceylon, who would be hostile to our rule? But we had nearer home one of the most beautiful and magnificent countries that Providence had ever given to man to rule over, but which had been a curse instead of a blessing to us. From the time of Henry II. the connection had been most unfortunate to both peoples. Although it had given us great wealth and added largely to our power, our conduct to it had made it the same source of misery and wretchedness to us that slavery was to the United States of America, wounding our very consciences day by day. What reason had we to make Ireland discontented? It was inhabited by a race as noble as any on earth; by women peerless in beauty and purity; by men brave and skilful in arms and arts, and as cognizant of the laws and blessings of civilization as any nation in the whole world. It was a sad and pitiful thing to reflect upon, that instead of law and order, and all the blessings of freedom, we had during the whole 700 years of our rule denied them most of the rights of free men. We had always governed Ireland by the most shameless corruption, and never by her own independent men. No nation ever prospered that did not govern itself. They must, if they wanted to make Ireland contented and happy, give her institutions exactly like those institutions which we possessed ourselves, and administered, not by us, but by Irishmen. It was impossible to change that which had been laid down from the very beginning of history. We saw the same thing in Italy and in other countries, where foreigners administered the law kindly and well; yet the countries which they ruled never prospered or became contented. It might be asked how Ireland could be governed by Irishmen; and he would answer that in that House there were 100 Members from that country, who were capable of fulfilling those duties if called upon to do so. Why should not those 100 Members be formed into a Committee, sitting permanently in Dublin, working at the legislation, which might afterwards receive the assent of that House, and administering there far better than we here could administer the affairs of their own country. Surely no men were more eloquent in pleading the wrongs of their country than those hon. Members, nor were there any more capable of administering her affairs. In that House men would be found to administer the affairs of Ireland as well as the affairs of England had ever been administered. Was there anything in Ireland to which Englishmen could point with approbation? The Head of the present Government—he was not going to say anything against the Government itself, because every individual Member of it deserved well of his country—had asserted when he came into Office that Ireland was then in a more peaceful condition than she had been for years. [Mr. GLADSTONE: Oh, no.] Well, he (Mr. Thompson) understood that was so. He understood that Ireland was so orderly then that the Government were able to do without those repressive measures which up to that time were considered so necessary for the government of the country. It was true that Lord Beaconsfield said, in his celebrated letter, that he conceived that Ireland was on the verge of rebellion; but it was a peculiarity of Lord Beaconsfield's character that he looked with dread on all secret societies. No doubt, there were Fenians, and Ribbonmen, and Whiteboys; but they differed in most respects from what we meant by secret societies. Still, he (Mr. Thompson) believed that the existence of those societies had impressed Lord Beaconsfield with the same sort of dread which he entertained for the celebrated secret associations of Italy. In his (Mr. Thompson's) opinion, the secret societies of Ireland were the result of the misgovernment of England and the poverty of the country. When the present Liberal Government came into Office there was every appearance that Ireland was in as peaceful a condition as ever she was in before; but it must not be forgotten that in 1879 that country suffered from a most terrible famine, and in 1880 there were signs of fearful distress coming on. The Government saw the evil; but, unfortunately, they ceased to press on those steps which would restrain the power of eviction. They all knew the fate of the Compensation for Disturbance Bill. In these days it had become the custom to throw obloquy on the late Chief Secretary (Mr. W. E. Forster); but although there were many who thought the right hon. Gentleman went too far in what he said concerning the rejection of that measure by the House of Lords, yet there were not a few now who thought that he did not go far enough in denunciation of that act. The Liberal Government found that, by the rejection of that measure, it was impossible to carry out its own measures. It seemed to him that on that occasion the Government showed very considerable weakness by not insisting on the Bill they had passed through the House of Commons. During the whole autumn of 1880 and 1881 the prospect of famine increased in Ireland; and then, instead of governing the country on Liberal principles, the Government introduced stern measures of repression. The evils which followed this repressive policy were predicted. They came in fearful force from men on both sides. Sad and terrible as were the assassinations in Dublin, not less sad and terrible was the slaughter of innocent children by the police at Ballina. Those little children, rejoicing in the escape of those whom they were taught to believe were the friends of their country, went out blowing their little trumpets in the streets, and then and there were mercilessly attacked and fired upon by the police. He could hardly conceive anything more terrible than that. It was the sad, perhaps the inevitable result, from measures which put down freedom. It was believed then that the policy of repression was about to be abandoned, and that the era of peace and quietness was about to be ushered in. But in answer to that came forth a measure by which the Press of Ireland was to be put down. He hoped that such a measure would not be passed by that House. If it was, more evil might be expected; but if the people of Ireland were treated kindly, and subjected to the same method of administration which prevailed in England, they would in a short time see that unhappy country peaceful and contented.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "while this House is desirous of aiding Her Majesty's Government in any measures which they can show to be necessary to adopt for preventing, detecting, and punishing crime, it disapproves of restrictions being imposed on the free expression of public opinion in Ireland,"—(*Mr. Joseph Cowen,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. CHARLES RUSSELL said, he did not propose to discuss all the interesting topics dwelt upon by the two hon. Members who had preceded him, but would address himself more strictly to the question before the House. He was as anxious as any Member to relieve his nation from the reproach of crime, and to assist by all right, necessary, and thorough means the putting down of crime. But, he felt bound to ask, would this Bill repress crime? Would it tranquillize the country? Would it, when it had ceased to operate, leave the country in a better position than it was in now? Would it leave the people in greater sympathy with the law and imbued with greater abhorrence of crime? If the answer were, it would do these things, then, even if it were a straining of law, if it were a divergence from the Constitutional path, he would say that it should be made. But if they believed, as he believed, that this Bill would not repress crime, that it would not tranquillize the country, that it might, indeed, drive the symptoms of crime and disaffection beneath the surface, without touching their cause, and that it would leave the country in a state probably of greater irritation and disaffection, then they were bound, as he had done, to vote against this Bill. Just and proper allusion had been made to the fact that after the recent terrible tragedy in Phœnix Park the country assumed a patient and judicial attitude, not yielding precipitately to feelings of impatience; but simply desiring that the law should be asserted. But between that crime and the policy of coercion there was not the least justifying connection. The commission of that grave crime afforded no reason and no justification for a departure from the policy of conciliation and of remedial legislation upon which it had been hoped the Government had finally entered. The crime was, in truth, a vile and shocking protest against that very policy of conciliation; it was disconnected with the other crimes which had unhappily disgraced Ireland, and was traceable to different sources. It was with shame and regret he recognized the fact that there had been shocking crimes which lowered and implied a serious change in the national character. They were either acts of wild vengeance for long-endured wrongs, or in later days, perhaps to a greater extent, they were acts intended to be a protective terrorism on behalf of the persons who were in dread of eviction, which was practically ruin, and which, indeed, had been described by the Prime Minister as tantamount, in many cases, to a sentence of death. The feeling of impatience which possessed Englishmen with respect to Ireland was not without some plausible justification. They said—"How impossible it is to deal with Ireland and with Irishmen. Here has the Imperial Parliament been for two entire Sessions occupied with legislation for them, to the neglect of Scotch, Welsh, and English Business. Here have English Members submitted to give up their time to the affairs of Ireland. A great Land Act has been passed, which has conferred upon them benefits which are not enjoyed by the people of any other part of the United Kingdom. Everything that can be done has been done for them, and yet Ireland is no better affected than before; crime is prevailing, so that men throw up their hands in despair and say—'What can be done with such a people, and with such crime?'" Articulated, that was the feeling which prevailed among Englishmen; but, as political memories were short, he would remind the House of what had taken place since the accession of the present Government to Office. In 1878-9 Ireland had been reduced to a state of famine. She was obliged, practically, to become a mendicant to the world for alms. Bad season had succeeded bad season; and under a system of rack-renting, which was now generally admitted, the people were reduced to the direst distress. In that condition of things it was thought necessary that some protection should be interposed between the excessive power of the landlords and the suffering tenantry, and that protection was formulated in the Compensation for Disturbance Bill, which was thrown out by the House of Lords and not persisted in by the Government. After that ineffectual effort on the part of the Government, Parliament broke up; and the starving people were left to face the autumn and the winter, exposed to the unrestricted exercise of their right by the landlords in the eviction of tenants for the non-payment of unjust rent. [Mr. BULWER: Very few.] He affirmed, he believed with greater knowledge than that of the hon. and learned Member, that these powers of the landlords were exercised in many cases in which the rent was very unjust. What was the result? Far be it from him to defend the criminal means adopted by the tenants to protect themselves; but he could not shut his eyes to the causes; he could not ignore the passions which actuated human nature, and influences of self-interest and self-protection; and, deplorable and criminal as might have been the acts of the tenants left without the shield which the Government attempted to give them, he could only recognize in those terrible deeds the protective agency of secret associations and of grave criminal acts, to which they resorted to save themselves. It was true that many of the acts done were criminal; but was it astonishing that they were committed? Up to the rejection of the Bill by the Lords there had not been a great average of crime; but it increased greatly during the autumn and the winter. The following year the Government brought in the Land Bill—he gave them every credit for it—and carried it in the face of very great difficulties, not the least of which was the dislike shown to it by very many of their own followers. It was a marvellous effort on the part of the Prime Minister; but what proportion of the Irish people did it affect? As yet only a very small proportion of the Irish people had benefited by it. He was not pointing to the fact that there were large classes outside its provisions, such as the leaseholders, who, in accepting such leases, were in many cases under as much constraint as yearly tenants; but there were large masses of people deeply involved in arrears from bad seasons, who found no protection, and who could derive no benefit from the measure, so long as the Arrears Question was not thoroughly dealt with. What advantage was it to tell them that in a few years' time the Commissioners under the Act might reach their district and reduce their rent, but only prospectively? It might be that in the remote future benefit would be derived; but that was not the result of the present operation of the Act —only a very small proportion of the country and a mere handful of the people were deriving from it any present benefit. These were considerations which every honest man should entertain in allaying impatience at the conduct of the Irish people. And, like all other remedial legislation, the Land Act did not go single-handed, but it was accompanied by coercive legislation. There was no instance in the history of Ireland for the last 80 years in which three, four, or five years of remedial legislation had been allowed to tell its quieting tale and make its effect felt on the people, but such legislation had always been accompanied by coercive measures, which had robbed the remedial legislation of half its grace and half its efficacy. He now came to the provisions of this measure, and was bound to say that he had the strongest possible objection to the supersession of trial by jury. He had heard with regret and surprise the speech of the hon. and learned Member for the Tower Hamlets (Mr. Bryce), in which his hon. and learned Friend observed that it was almost a species of pedantry to speak of juries as if they were a real and an important part of judicial administration in these days. That was not his opinion. The institution of juries had not merely given justice to the countries in which it existed, but it had conveyed to the minds of the people the belief that justice was, in fact, done. As regarded the supersession of juries, he began by conceding that, in his opinion, there had been cases in Ireland in which juries, according to our view of the evidence, ought to have convicted when they had not convicted. Therein there seemed to have been in several cases a failure of justice. But this was not the real difficulty in regard to the detection or punishment of crime. Granting that several such cases existed, what proportion did they bear to the undetected crime? The real difficulty consisted in procuring evidence of sufficient cogency to warrant them in convicting. Did hon. Members suppose that the people would have greater confidence in the proposed new tribunal than they had in the preceding tribunal? Did they imagine that evidence would be more readily forthcoming because the people had less confidence in the tribunal? He desired to put his opposition to this Bill on its real ground. He did not join in the wholesale condemnation and abuse of the Irish Judges which he had heard from the Benches opposite. He believed them to be men of the highest honour and integrity, and it was not because he believed any innocent men would suffer under this Bill that he objected to it. He did not even believe, however, that under the new tribunal a larger number of convictions would be obtained. It had been alleged by his right hon. and learned Friend the Member for the University of Dublin (Mr. Gibson) that the fact of there being no certainty of conviction kept the people from giving evidence; but he had never heard one syllable of proof in support of that proposition. Was there, then, any clear ground of disadvantage from this new tribunal? In the first place, after the declaration of the Irish Judges, it would be a self-discredited tribunal. In the face of the decision which the Judges had, by a large majority, if not unanimously arrived at, could it be alleged that this tribunal would be accepted with anything like confidence or satisfaction by the Irish people? He would now refer to two classes of offences—those in connection with newspapers and public meetings, proposed to be dealt with by the Bill. He had heard that one newspaper circulating in Ireland from America contained most pernicious and treasonable trash; and he did not hesitate to say that he should not have the least objection to see the importation and dissemination of such literature peremptorily stopped by the Government. Nevertheless, he had still to be satisfied that the existing law was not adequate to put down anything that was wrong in the utterances of the Irish Press. He desired that persons publishing matter that was treasonable, seditious, or calculated to disturb the peace should be punished by Constitutional means, and that these exceptional measures should not be resorted to. There was no proof that in this regard the ordinary law had failed. As to public meetings, they would be told with sincerity and truth that the only object of the clause was to prevent meetings which were treasonable or seditious, or openly hostile to the peace. Such professions might be made in perfect good faith, as they had been on previous occasions; but he feared the Press and Public Meeting Clauses would be so applied as to put down the free expression of public opinion in Ireland, and the people of Ireland would believe them to be directed to that object. Even though the expression of that opinion should be irregular, riotous, and bordering on sedition, he maintained it was much better that that should be allowed than that there should be a repression and keeping down of anything like honest opinion and outspoken criticism. To use a trite illustration, it was very much like sitting on the safety-valve of a steam engine to prevent an explosion. As regarded the clauses relating to search, to aliens, and to the prevention of nocturnal meetings, he went heart and soul with the Government. Under fair safeguards, even if those clauses should involve individual discomfort, that was a price which every man ought to be willing to pay for the purpose of putting down that pest and bane of Irish life—the secret societies. But he did not wish too high a price to be paid even for that; and, therefore, he desired to have the clauses properly safeguarded. He next came to the question of summary jurisdiction. In the abstract he was in favour of it. There was one fault in the Irish Statutes, and that was the enormous penalties for certain crimes, which led to the delay arising from the fact that such cases had to go to the higher tribunals. He desired to point out that this clause proposed to create a new class of offences; and it gave to two Resident Magistrates, exclusive of any other authority, and of the ordinary magistrates, the power of dealing summarily with those offences—and that without appeal—and the power of inflicting six months' imprisonment with hard labour. Now, who were the Resident Magistrates? [*Home Rule Cheers.*] He feared he should disappoint hon. Members opposite, for he was going to mention no names; he had never uttered a syllable against individuals. But the Resident Magistrates, when sent to a district, saw the Country Inspectors and the Sub-Inspectors, asked if crime was rife, reproached them if they had failed to detect the criminals, and urged them to greater vigilance. The Inspectors, accordingly, became more alert, and did or did not, as the case might be, catch the offenders. But what he wished to impress upon the House was that these Resident Magistrates first assumed the executive power of the law and then exercised judicial functions. That was a monstrous system, which did not exist in any country but Ireland. It was all the more monstrous in Ireland, because there the great want was to create a sympathy with and confidence in the law. The stipendiary magistrates in this country were trained lawyers; but those of Ireland were at once policemen and Judges. They were, for the most part, ex-Sub-Inspectors, or military men who had gained their experience of Constitutional Law in Burmah or in India. Those were the men who were sent to stand indifferently and dispassionately between the Crown and the subject. That system erected by the Bill was, in his humble opinion, utterly indefensible. At least, those Resident Magistrates should be trained lawyers; their duties should be judicial only, and not executive and judicial, and there should be associated with them the local magistracy of the district; and there ought to be an appeal to Quarter Sessions. He himself intended to move an Amendment to that effect; and unless some such Amendment was passed, the result would, he (Mr. Russell) feared, be disastrous. The result of the present system was to encourage men in high position in the country to throw off all responsibility on to the shoulders of Resident Magistrates. It was, in a word, the system which was known as "Dublin Castle." He was anxious to help the Government as far he could to put down crime and secret organizations. But there was little in the Bill which would effect that purpose; much that would tend to produce results of a very different character. No Government had ever been able to cope with secret societies by legislation. The root of the disorder was not to be removed by measures of repression. Lord Cowper was reported to have said that the Coercion Bill had driven discontent beneath the surface. But the history of every Coercion Bill showed that the repression of public opinion produced far greater evils than it was intended to prevent. What Coercion Bill had ever proved a success. In 1833, in the Administration of Lord Grey, in which Lord Wellesley was Lord Lieutenant, a Coercion Bill drastic and severe, but not more so than the present, was introduced. It was in operation two years, and Lord Wellesley was compelled to acknowledge, "The law is powerless, for it is safer to disobey it." Lord Melbourne's Administration came in, and Lord Normanby became Lord Lieutenant, with Lord Morpeth as Chief Secretary and Thomas Drummond as Under Secretary. Notwithstanding the warnings which were addressed to them, the Government of that day relaxed the law, and introduced a very mild measure for the protection of life and property. In consequence, there was a lull in the commission of agrarian offences, and such offences largely diminished. Mr. Sharman Crawford made a speech on that Bill, which would form an admirable argument against the present. They all knew what had been the experience of the Coercion Act of 1881; and the fact of the professions made by the Government when that measure was passing through Parliament showed how little they could put any trust in such professions. Under that Act crime had existed and flourished, and a criminal spirit had eaten into the very vitals of the people. The true cure for the evils of Ireland lay in remedial measures, not in coercion; and he was sorry the Government had not had the courage to bring forward their remedial legislation without introducing a Coercion Bill. He believed that would be found more effective than repressive measures, besides saving the country the present expense of the military and police forces. Either the Government of Ireland must be a Constitutional one or not—it must either be representative or not. A representative Government was, as he understood it, one in which opinions were represented. He did not mean to say that all opinions in Ireland should be accepted as true and just; but opinions generally must not be disregarded. They could not expect the people to have confidence in the rule of the Government while their voice and that of their Representatives was unheard. But what was the state of things to this day? The Irish Government was, as he had often before said, one of the most centralized systems in the world, and a most unnational Government. With the exception of the noble Lord the Lord Privy Seal, and his right hon. and hon. Friends the Attorney and Solicitor General for Ireland, there was not an Irishman in the Government of that country. As regarded his right hon. Friend the newly-appointed Chief Secretary for Ireland, he thought he deserved to be treated with every consideration in the exceedingly difficult and onerous task he had undertaken, and to receive the assistance of all sides of the House in the effort he was making to bring about a just administration of the affairs of Ireland, and a vindication of the authority of the law. He apologized for detaining the House so long. He had spoken exactly as he felt upon the question, and he would not oppose the Bill if he believed that its main effect would be to repress crime; but he believed it would be productive of crime, that it would irritate the people instead of tranquillizing them, and that it would leave the country in a worse condition at the end of its proposed three years' operation than it was at present.

Mr. PLUNKET: Sir, I had no intention whatever of taking part in the debate, for certainly it is the last feeling in my mind to wish in any way to impede the progress of Business, for the sake of which the House has already made great sacrifices; but so far as the debate has gone it has proceeded very much in a spirit hostile to the measure which has been submitted to the House by the Government, and as no Member of the Government has yet spoken, nor any of their supporters, in their defence of the measure, I venture to offer some observations in support of the Bill. I do so with the deepest regret. There is no Irishman in any quarter of the House who detests or regrets coercive measures more than I do. ["Oh!"] I think it was the hon. Member for Cavan who made that exclamation. [Mr. BIGGAR: Hear, hear!] I challenge him to point to a sentence I have ever uttered unfriendly to any interest or any liberty of my country. It is a most agreeable recollection of my public life that I took part officially under the late Government in reducing one of the strongest coercive Bills to the mildest that has ever passed this House; and, from the bottom of my heart, I say that if I rise to support a strong coercive measure now it is only because the necessity for it has been forced upon my mind by circumstances and events of the most terrible character to which I cannot shut my eyes. I wish to make some reply to the speech of the hon. Member for Newcastle (Mr. Joseph Cowen). It was eloquent and impassioned in the extreme, and, giving vent to generous sentiments, it was naturally applauded by very many persons in this House; but I venture to think it was not quite as practical in its character, or quite as much pointed to the particular matter of his Amendment, or the measure before the House, as his speeches usually are. I went very much with him as he referred to the old history of misgovernment in Ireland. I have no more pleasure in going back to those times than the hon. Gentleman himself. But why always recall these miserable recollections? Why always, like a ghoul, dig up the corpses of the past, and rake amongst the graves and dark places of history for topics which can do nothing but inflame the feelings of those who live in the present, and thus make the task of government in Ireland more heavy? As I listened to his eloquent periods, I could not help thinking that he might as well have been telling us about Titans, or the story of "Jack the Giant-Killer," as relating these old events. It has been the effort of both the great Parties in the State for many years, though not always agreeing in the means, yet always strenuously striving, with the same purpose, to efface, as far as possible, the disagreeable records of the past, and to remove the causes of discontent; and I think the hon. Member might very well have left those ancient memories alone. When the hon. Member came to the present time, what had he really to complain of? He prefaced his complaints by saying that Irishmen would rather be badly governed by Irishmen than well governed by Englishmen. This sentiment gave the tone to the whole of his speech. While it undoubtedly was all in the direction of separation, it was not, I think, very practical in its application to the present time. He said much about the four English officials who govern Ireland. I do not wish to defend the present Government for their appointments; but it is all nonsense to say there is any difference between the honest intention of Irishmen and Englishmen to govern uprightly when they go to Ireland. Of course, I do not deny that there may be some difference in their knowledge of the country; but I must say, so far as we have had the opportunity of judging of my right hon. Friend who has lately been appointed Chief Secretary for Ireland, that he has already secured for himself, at all events, a favourable hearing and favourable attention for his efforts to fill the place which, I say, was so bravely, gallantly, and ably filled, though pursuing in so many respects a policy from which I differed, by my right hon. Friend the Member for Bradford. But, Sir, I want to say a word or two on this subject to the hon. Member for Newcastle. There is another view to be taken of the employment of Englishmen in Ireland in high Offices. The hon. Member for Newcastle himself referred to the fact that at one time there were four Irishmen filling high places in the Colonies who had before been rebels in Ireland. There have been multitudes of Irishmen in English administration, not only those who had rebellious sympathies in their youth, but loyal men, who have filled high places in all the great Colonies of the Crown. I know not those whom the hon. Member had particularly in his mind when he was speaking; but I remember the names of Mayo and Dufferin, and many another. Not only that, but many of them have filled the high places of the Army of England. I shall not now review the beadroll of glory, still glittering at this day with such names as those of Garnet Wolseley and Frederick Roberts. What are the names associated with the great history of our rule in India? Why, Irish soldiers and Catholics who have followed Irishmen, whose names are most glorious in the records of the conquest and maintenance of the Indian Empire. I say, when you talk about the accident that at the present time there are Englishmen administering high places in Ireland, you must set off against it the numbers of Irishmen who administer high Offices throughout this Empire. I protest against this spirit of taking a separatist view of the interests of the two countries. Only a short time ago the English Bench itself was adorned by three Irishmen at one time—two of whom were Irish Catholics. My hon. and learned Friend who spoke last, is in himself a signal instance of the opportunities which Irishmen are afforded —generously afforded—in England, and all through the Empire, of achieving success and distinction, and winning high places; and I must say they liberally avail themselves of their opportunities. Well, Sir, the next thing complained of was a rather singular grievance. He says the Irish Members in this House are an insignificant minority. Well, of course, Irishmen are a minority in this House; but to call them, in whatever part of the House they sit, an insignificant minority is, I think, a mistake. It will be a difficult impression to produce on the minds of Englishmen. As a matter of fact, I believe Ireland enjoys a larger representation, relatively to her share of the population of the Three Kingdoms, than either England or Scotland. Whether that is so or not, Irish Members contrive to occupy a great deal of the time of this House; and I have an idea myself that one of the most sad consequences in connection with any measure of Home Rule would be, that after my countrymen on both sides of the House had left this Assembly, it might be more business-like, but I venture to think it would be far less interesting. Do not the Irish Members take up all your time with their grievances, their humour, and their eloquence? They are really the spoilt children of this House. I am afraid I must admit that I am myself obnoxious to this criticism. But on this occasion, at all events, I promise not to delay the House longer than I can help. I think, perhaps, if there was a little less legislation for Ireland, and a little more government of Ireland, it might be for the advantage of the country. Well, then, the next grievance of the hon. Member, so far as I make out, was that there had been a policy adopted by the present Government of combined conciliation and repression. Well, I am not going to defend a policy of combined conciliation and repression. I have ventured pretty often to criticize it strongly; and in presence of the awful events of the present time, I should find it difficult to speak calmly on that subject—but I am not desirous of introducing any polemical matter into this debate. I would, however, remind the hon. Member for Newcastle that the present Government, at all events, began their policy by a very strong act of conciliation—namely, the dropping of the Arms Act; and it is rather a pertinent observation to make with reference to the measure which is now under consideration, that the consequence was that the Home Secretary had to come back to this House a year afterwards, and say that they had tried a generous experiment, but that the experiment had failed. Now, passing smaller matters, there was a very important point mentioned by the hon. Member for Newcastle. He called attention to something the seriousness of which the House, perhaps, has not fully realized—the influence now exercised in Ireland by the Irishmen who have gone abroad to America and elsewhere. I do believe if it were not for that influence, the difficulties with which you have to deal to-day would be small and trifling by comparison. When I was a young man, Ireland was advancing not only in prosperity, but in peace. That process was going on, blending Irish interests with those of the Empire, even as Scotch interests were formerly united. But this unfortunate Irish-American influence was brought to bear on the Irish vote. The hon. Member described the feelings of affection and sympathy between the Irish at home and the Irish abroad, and I concur in the truth of all that he said on the subject. There is nothing nobler or grander that I know in modern history than the kindness which has been shown by Irishmen who have gone abroad to those who remain at home, binding them together by countless threads of sympathy. And every mail that crosses the Atlantic and carries letters backwards and forwards plies like the shuttle in the loom—drawing together those threads, making their web strong and difficult to break. But if it be true that the love of the Irish abroad for the Irish at home is strong as death, their jealousy of England is cruel as the grave. It is to the interests of certain persons in America and elsewhere to stir up all the fiercest passions of the Irish abroad, to draw from them their money, to make a great going concern for the purpose of spreading disloyalty among the Irish at home, setting them against their English brethren and against the English Government. It is with this tremendous influence, founded on great and high and noble feelings, but built up into a foul conspiracy for the purpose of outrage, and crime, and treason in Ireland, that you have to contend with in future; and I venture to warn the House that, although it be a new influence, it is a strong and growing influence, and will prepare for you in the future great difficulties and great dangers. It is not the moderate Leaders of the Irish race in America who will prevail. It is those who bid highest for popular favour, and who have most tempting and exciting plans, that will prevail We have seen how quickly the feeling was turned away from those who showed shame for what happened in the Phœnix Park, and how quickly the mastery was obtained by those who preach most inhuman sentiments. If you do not take care and govern Ireland by the Imperial power of these Three Kingdoms, it will be governed for you, and in spite of you, by men but little less violent than O'Donovan Rossa. I have no wish to trespass long upon the attention of the House, and therefore I shall not follow my hon. and learned Friend the hon. Member for Dundalk (Mr. Charles Russell) in his criticisms on the various clauses of the Bill. My hon. and learned Friend spoke generously and favourably of the Irish Judges; and we all know that the Irish Judges are men of the highest character and honour, as well as of great ability. As to the stipendiary magistrates, I may point out that they are all Irishmen with, I believe, a single exception. Many of them are Catholics and Liberals, and have no more antipathy to the Irish people among whom they live than my hon. and learned Friend himself. These charges against the Castle, the magistrates, and the constabulary are instigated by one feeling—a deadly hatred of everything which supports the authority of this Imperial Parliament in Ireland. It is right that someone should say a word in support of the effort now at last vigorously made to support law and order in Ireland. While, as I said before, I deeply regret the necessity of such a measure, its necessity cannot be denied; and I do trust, now that the Government have made up their minds as to what is best, they will not suffer themselves to be shifted from the ground they have taken up by such representations as we have heard to-night. It is a painful thing to have to use coercion at all; but to use it with an uncertain hand, as if you had not the courage or had not the strength to impose it, is the most cruel and fatal policy of all.

MR. O'CONNOR POWER: Sir, I do not complain of the speech of the right hon. and learned Member for the University of Dublin (Mr. Plunket). As no Representative from Ireland has volunteered to support the policy of Her Majesty's Government, he has thought it right, out of the abundance of his charity, that he should administer some consolation to the Prime Minister and his Colleagues. It is, however, due to the position of the right hon. and learned Gentleman that I should notice some of the observations which have fallen from him in the course of his speech. The right hon. and learned Gentleman commented with some severity upon the historical character of the speech of my hon. Friend the Member for Newcastle (Mr. J. Cowen); and he asked why my hon. Friend had endeavoured to raise up the embers of historical strife in order to illuminate the argument he wished to advance. But it was necessary that my hon. Friend should revert to the past in his desire to deal effectively with the question of Irish grievances; and, therefore, he gave a sketch of the overthrow of the ancient Irish land system, and the substitution of English landlordism in its place. We have not made such enormous progress from that bloody and bitter past that the right hon. and learned Gentleman should ask us to congratulate each other on the happiness of the present time. Whatever may be said about the present of Ireland, in comparison with the past, it must be acknowledged that the present condition of Ireland is such that the most liberal of English Governments dare not trust the administration of that country into Irish hands. Do not talk to me about the recollections of the past. It is not the past, but the present, that we have to deal with; and there is quite enough in the present condition of Ireland, and the utter nullity of Irish opinion in the government of that country, to account for all the discontent and disaffection which has covered the land. The right hon. and learned Gentleman touched another very practical question in reference to Irish administration. He said it was true—and he seemed to think it was by accident—that Englishmen administer the affairs of Ireland; "but," he added, "Did not Lord Dufferin go to Canada? Was not Lord Mayo Governor General of India?" I have heard that observation made very often. I am told to be content with the government of Ireland by aliens, because distinguished Irishmen have been selected to govern distant Colonies. But I have this answer to make. When Her Majesty's Government send an Irishman out as Governor General of Canada, they know very well that the Governor General of that Province can only act in accordance with the advice of the Canadian Ministers, and those Ministers are responsible to the prevailing opinion of the Canadian Parliament elected by the Canadian people. The Governor General who goes out to Canada does not go there to carry out the policy of a Party, but as the unfettered Representative of the Sovereign to govern the people of Canada Constitutionally, according to Canadian opinion, and guided by the advice of the Canadian Ministers. The reference of the right hon. and learned Gentleman to India was not in point at all, from the simple circumstance that India does not possess a Constitutional Government. I decline, therefore, to accept the analogy which the right hon. and learned Gentleman seeks to draw in the case of India. In order to justify his argument, the Government of Ireland must be shaped in accordance with Indian precedents. The right hon. and learned Gentleman referred to the speech of my hon. and learned Friend the Member for Dundalk (Mr. Charles Russell) as a proof of the opportunities afforded to Irishmen in this country; and he commended not more warmly than I am prepared to endorse the hospitality which Englishmen extend to Irishmen of talent. But this is only the outcome of civilization. If Englishmen go to the United States or Canada, if they settle in France or Germany, the same hospitality is extended to them; and I presume that, whatever position my hon. and learned Friend the Member for Dundalk (Mr. Charles Russell) has won for himself in this country, he has won it by the exercise of his own talent, by his own Irish ability, Irish courage, and Irish pluck; and I think that those who have extended English hospitality to him, for the time being, have had no reason to be dissatisfied with the result. I have ventured to trespass on the indulgence of the House to-night for the simple reason that I have been an attentive listener during the whole of the debate which has taken place on this important Bill. I have read that Bill several times very carefully, and I am not ashamed to confess to the House that I have yet but a very imperfect idea of the probable effect of some of its most important provisions. An appeal has been made to the House, in the progress of the debate upon the Bill, to consider it rapidly in the interest of the dispatch of Public Business. I am sure that that appeal will have due weight with all sections of Members in this House; but I must take leave to say here and now that, having regard to the portentous and revolutionary character of the measure, it would be nothing less than a grave public scandal if Parliament assented to it without carefully scrutinizing its leading provisions, and trying to ascertain how far they are calculated to carry out the professed object of the Bill. At an earlier stage information was asked from Her Majesty's Government which, in my judgment, is material to the consideration of, perhaps, the most important clause of this Bill. That information has not yet been forthcoming. We are asked in the very first page of the Bill, in the very first clause of it, to consent to the abolition of trial by jury in six different classes of offences. The Government were called upon a few days ago to produce statistics which would enable the House to form an estimate as to how far the system of trial by jury had proved a failure in respect of the trial of persons prosecuted for these various offences. Now, no attempt has been made by the Government to give that information; and I submit that it is not only necessary that the House should possess that information, but I should hope that Her Majesty's Government themselves did not commit themselves to this grave proposal to abolish trial by jury until they had themselves gone carefully over the statistics and satisfied themselves that the proposal was absolutely necessary. A question was asked of the right hon. and learned Gentleman the Attorney General for Ireland (Mr. W. M. Johnson) in reference to trial by jury for the offences of treason and treason-felony. The hon. Member for Wexford (Mr. Healy) inquired in how many cases, during the last 10 or 15 years, persons who had been indicted for treason or treason-felony had not been convicted when the weight of evidence was in favour of conviction? The right hon. and learned Gentleman the Attorney General for Ireland stated that it would occupy at least two months to give a satisfactory answer to that question. Now, I think I can give a satisfactory answer to it at once, and I will give it in the form of a challenge to the right hon. and learned Gentleman. My challenge is this. I challenge the right hon. and learned Gentleman to produce one single instance, during the last 15 years, where a person in Ireland was indicted for treason or treason-felony and the jury gave a verdict against the weight of evidence? I challenge the right hon. and learned Gentleman to produce a single instance. I recollect the history of the last trials for treason and treason-felony in Ireland, when O'Donovan Rossa, Michael Davitt, and other gentlemen were tried. My recollection is that certainly nineteen-twentieths of the persons who were then put upon their trial for these offences were found guilty on the weight of evidence. [Sir WILLIAM HARCOURT: Davitt was tried in England.] Mr. Davitt was, no doubt, tried in England; but surely the right hon. and learned Gentleman the Home Secretary is not so forgetful of history as to suppose that the only persons who were convicted were tried here. Mr. Davitt and two or three others were tried here; but I am speaking of the great bulk of those who were tried. I might go back to 1848, when the offence of treason-felony was first created, and I think it will be found that if juries returned a verdict against the weight of evidence, they were not verdicts that were favourable to the prisoners who were arraigned before them. We have asked the Government for information upon these two points, and that information has not been supplied. I will put a question, then, to Her Majesty's Government, and I will put it seriously, also, to independent Liberal Members on the other side of the House who have already made the grave mistake of committing themselves to the policy of this Bill. I will ask them to tell me when, if ever, since Constitutional liberty was first established in this country, it was proposed by any Government, in any period of public excitement, to abolish trial by jury for political offences? Was anything of the kind done during the Reign of Terror in 1793? Was anything of the kind done during the period of the Rebellion in Ireland in 1798? Was anything of the kind done at the time of Emmet's abortive insurrectionary attempt in 1803? Was any step taken in the direction of abolishing trial by jury in 1848, in 1865, or in 1866? At what period in the Constitutional history of the country was a proposal ever made before by Her Majesty's Government to abolish trial by jury? I do not underrate the gravity of the present situation; but will anyone tell me that, grave as the situation is, that it bears any comparison with the revolutionary periods I have quoted, and in the very fervour of which the sacred institution of trial by jury was preserved as the Ark of the Covenant of the British Constitution? Then, I say, that before we consent to its abolition we have a right to challenge Her Majesty's Government to produce the evidence which, in their opinion, justifies so extreme a measure. If this Bill is not the result of a wild and reckless panic, Her Majesty's Government must have some other ground for having agreed among themselves upon the proposal to abolish trial by jury, which they have not yet communicated to the House. My hon. and learned Friend the Member for Dundalk (Mr. Charles Russell) has properly directed attention to the exceedingly grave effect the Bill will have upon the Irish Judges, who are called upon, under the Bill, to act as Judges in these six different classes of offences. They have, I believe, unanimously protested against the proposal to lay this burden upon them. I confess that I agree with my hon. and learned Friend that it is difficult to imagine how a proposal of this kind can be carried out in the face of that protest; and I trust that it is not yet too late for Her Majesty's Government to seriously re-consider the whole matter; and, having got an expression of Irish opinion, which does not bear in any degree the taint of political partizanship—namely, an expression of opinion from the Irish Judges — we shall wait to see if that of itself will make any impression upon their councils. While I have voted against the second reading of the Bill, and intend to give it, in its general aspects, a determined opposition, I am bound to acknowledge that the measure contains some provisions which, in view of the present unhappy condition of Ireland, I am not prepared to say are altogether unnecessary. I notice that Clause 4 is an attempt to put down intimidation. Well, now, I believe that Her Majesty's Government are perfectly sincere in their desire to put down the system of intimidation which has, in too many instances, been carried out in Ireland during the last two years; and I must say that I heartily sympathize with them in the desire they have expressed to put down that intimidation. I have said before, and I hope I shall be excused if I repeat it again, that I am equally opposed to coercion on the part of Her Majesty's Government, and to the intimidation which has been practised by certain sections and branches of the Land League. I have no desire to make the whole organization of the Land League responsible for what has been done; but I repudiate and defy intimidation in every form. That is the attitude which I have always taken, and it is the attitude which I intend to maintain. During recent days we have had the expression of the just feeling of the Irish people in reference to many of the serious crimes which have been committed in the country. We have heard the feeling of horror with which they regard these crimes; but there are other crimes, which, although they may not lead directly to the spilling of innocent blood, are in themselves reprehensible and worthy of the strongest condemnation. Take the doctrine of "Boycotting" in Ireland, which has been alluded to. I denounce it as brutal and immoral. I do not recognize that any political organization, whether composed of 10 men or 10,000,000 men, has the right to coerce any man in the free exercise of his judgment, and of the rights which he conceives he possesses as a member of a civilized community. Clause 4 of this Bill proposes to deal with that offence; and, as far as it proposes to deal with intimidation of that character, I say that I am in favour of the provision. But, then, it is not necessary, if your object is to put down intimidation of the character I have described—intimidation which isolates a man from his fellow-men, which marks him out as a person scarcely fit to live in society; which, in some instances, deprives him of the means of obtaining the necessaries of life for himself and his family—if you only propose to put down that hellish system, then I am in favour of your proposal. But let me have a definition of what intimidation is? Do not tell me that it includes every suggestion or every nod which A may make to B, with the supposed object of influencing B to do something which he may not wish to do, or to refrain from doing something which he wishes to do. The definition contained in the clause is far too sweeping; and I trust that, in Committee, an attempt will be made to bring the language of the Bill more in accordance with the professed object you have in view—namely, to put down intimidation in Ireland. Clause 5 declares that every person who takes part in any riot or unlawful assembly commits an offence under the Act; and, by reference to the Bill, hon. Members will see that by Clause 19, any two Resident Magistrates, who may themselves have taken part in instigating a riot by their blundering and incapacity, are empowered to try the very persons they may have implicated in such disturbance. They have not only to try them, but to sentence them, if they think proper, to imprisonment with hard labour for six months. The right hon. Baronet the Leader of the Opposition (Sir Stafford Northcote) stated, at a former stage of the discussion, that it was absolutely necessary, when you consented to pass a Bill of this description, that you should be very careful about its administration. His argument went rather to show that it was necessary to have a firm administration; and the right hon. Gentleman used words, which I readily endorse, when he said that the administration was half the battle. I wish that the right hon. Gentleman would extend that maxim a little further, because, if he were speaking of the whole of the government of Ireland, he might say that administration was not only half the battle, but the whole battle, as far as securing the peace and tranquillity of the country is concerned. In another sense I say, then, that the success, or want of success, which may attend this measure, must in a great degree depend on the manner in which it is administered. I want to know whether such gentlemen as Sub-Inspector Ball, who has been evicted from Ballina, and other persons in a similar character, are to be sent to other parts of the country to administer this Bill, and are to receive orders from the Resident Magistrates in reference to riots and unlawful assemblies? Are persons like County Inspector Smith, magistrates like Major Trail, to be intrusted with the administration of this measure? If they are, it will be impossible to carry out the professed objects of the Bill under their administration. We are told, in the Preamble of the measure, that its object is to put down secret societies and unlawful combinations for illegal purposes, and, by some extraordinary process of reasoning, we are expected to convince ourselves that the best way to put down secret societies and secret action is to suppress public meetings. We are even invited to go further in the direction of suppressing public sentiment, and are asked to attack the Press. I am ready to endorse, in the strongest manner, the strong terms which the right hon. Gentlemen the Chief Secretary for Ireland applied to some of the doctrines propounded by the Irish-American newspapers; but I would ask the hon. Gentleman are there no newspapers published in England, from week to week and from day to day, which give expression to doctrines subversive of society? I am afraid there are; and I am afraid that it is impossible, in any free country, to suppress entirely the expression of opinions and doctrines which are not in accordance with the expression of the opinion of civilized communities. But I do not think that is a sufficient reason for suppressing newspapers in the summary manner proposed in this Bill. On the contrary, I regard the Press of Ireland as the safety-valve of popular passion, as the indicator of the grievances which call loudest for redress; and if you shut up these avenues of public opinion in so summary a manner, and decline to carry on the government of Ireland in accordance with public opinion, the whole matter reduces itself to this—that you are determined henceforth, or during the next three years, at any rate, to regard Ireland as a conquered country, or a country remaining to be conquered, in which public opinion is to be stifled at its source lest it should seem to conflict with your aspirations of government in that country. We are asked, also, in this Bill to sanction the power of unlimited search, at any time, by day or night, and we are told that the object of this unlimited power of search is to enable the Government to discover what the right hon. and learned Gentleman the Home Secretary (Sir William Harcourt) very forcibly described as the "apparatus of murder." If that be the object of this clause, I want to know what advantage you gain by making a search of that kind in the middle of the night? It is not likely, if persons have arms and documents concealed, that they will be found changing them from one place to another in the middle of the night, because, if it were so, it would not be nenessary to search the houses at all. You would only have to wait on the high road, and you would soon come into possession of the apparatus of murder. I can understand night-searching, if the object be to search for persons; but if the object be to search for arms and documents, I can see no reason whatever why we should not consent to limit or prevent these searches being carried out after sunset, at night, and before sunrise in the morning. There is one important part of the Bill which seems to have escaped attention in every quarter of the House. I refer to that part of it which proposes to revive the Alien Act. Now, I regard this portion of the Bill as something which is likely to be attended with the very gravest consequences, and for this reason. I feel with the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Plunket), and other hon. Members who have spoken in the course of the debate, that the position of the Irish population in America is, undoubtedly, the greatest danger to the maintenance of English power in Ireland at the present time; and I can conceive that, in the future history of the Anglo-Irish struggle, the danger is to be anticipated from the other side of the Atlantic. I noticed at the great Irish meeting held in New York, some six or seven weeks ago, for the purpose of calling on the American Government to demand the release of certain American citizens imprisoned in Irish gaols, that messages and telegrams were read at the meeting from all the leading responsible politicians of the United States—Senators, Members of Congress, Governors of States, ex-Secretaries of State, and people of the highest note in the land were called upon to give expression to their opinion. I will mention the name of one particular individual, because it is a name that is more familiar to the people of England, probably, than any other I could mention—I mean General Grant. General Grant was received in this country, not long ago, with princely honour and hospitality by the British people. He was handed round the country, and the people were led to believe that the mission of the great General was to propagate love, and peace, and good-fellowship. Well, General Grant wrote to the meeting I refer to, saying—

> "If I were President of the United States, I would demand the release of our citizens in Ireland or insist on their being immediately brought to trial."

I will not pause to inquire whether General Grant may have been indulging in a little electoral fireworks or not. General Grant, if he were President of the United States, might possibly think that he was not called on, either as a General or as President, to adopt a hostile attitude towards England; but I look to his words as an acknowledgment of the power which elicited the expression of that opinion; and if I find every prominent man in the United States, without distinction of political Party—not merely the democrats who hope to get into power on the strength of the Irish vote, but Republicans of every shade of opinion — sending messages of sympathy to this meeting, then I am justified in regarding the position of the Irish race in America as a position which England has to recognize if she wishes to make peace with the Irish people at home. Well, what do you propose to do? You propose to revive an Act, the earliest effect of which would be not merely to to emphasize the hostility of irresponsible politicians in America, but to alienate the sympathies of the American Government itself. What is the history of this Alien Act? I am afraid there are very few hon. Members in this House who have studied the proposals of the Bill. There is hardly a step you can take which will not strike you with the fact that you are called on to do something hitherto recognized as most repugnant to the spirit of the British Constitution. What is the history of this odious Alien Act? In all the troubles and struggles of this country with aspirants to the Throne; in its contests with the Pope and his emissaries; in all the desperate periods of its past history, we never heard of the Alien Act until the 17th of September, 1793, when, during the Reign of Terror in France, the very security and independence of the United Kingdom were threatened, it was introduced by a Conservative Government and opposed by the Leaders of the Liberal Party; and, although it was in operation, more or less, for 33 years subsequently, during the whole of that time it was opposed by every man of eminence in the Liberal Party in both Houses of Parliament, and it was regarded as so odious in itself that it had to be renewed from year to year, like the Mutiny Bill. It was never passed for a longer period than one year, and during the 33 years it subsequently occupied a place on the Statute Book it was opposed by every prominent Member of the Liberal Party. I should like to mention the names of some of the distinguished statesmen who were conspicuous for their opposition to the Alien Act. Among those who opposed it in 1793 were Lord Lansdowne, Lord Grey, and Mr. Fox, and subsequently by Mr. Abercromby and Mr. Whitbread. In 1816 it was opposed by Sir Samuel Romilly, Mr. Horner, Mr. J. P. Grant, Sir James Mackintosh, Mr. C. Wynne, Lord Milton, Lord Althorpe, Mr. Baring, Mr. Lamb (afterwards Lord Melbourne), and Mr. Brougham; subsequently by Lord Auckland, the Duke of Sussex, Lord King, Lord Lansdowne, Lord Grey, and Lord Holland; and in later years by Lord Durham. In 1824, Lord John Russell and Mr. Denman were Tellers against the measure; and in 1848, when, after an interval, it was again proposed, I find that the Division List against it contains the names of Hume, Molesworth, Cobden, and Bright. I am glad that this has brought us to the name of the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright), because I wish the House to allow me to quote a very short extract from a speech which the right hon. Gentleman delivered on the third reading of the Alien Bill, when it was introduced in 1848. I venture to give the quotation for this additional reason—that what the right hon. Gentleman then said as to the policy of the Alien Act most vitally applies to the whole policy of the present Bill introduced by Her Majesty's Government, of which the right hon. Gentleman is a Member. Addressing the House on the third reading of the Alien Bill in 1848, the right hon. Gentleman the Chancellor of the Duchy of Lancaster said—

> "With respect to the measure more immediately under consideration, he would take occasion to observe that, from the hour it was first introduced to the present moment, when it was about to receive its third reading, he had never heard an argument in its favour. To say that it ought to be passed"—I wish the House to mark this passage—"To say that it ought to be passed, simply because the House had confidence in the Ministry, was to talk in the silliest and most childish strain imaginable. To assign such a reason for assenting to such a Bill was really amongst the most preposterous of all conceivable things. Why, on the same plea, the House ought to support the Government if they were to bring forward ten times as oppressive a measure for our own people as this Bill of pains and penalties was for foreigners."—[3 *Hansard*, xcviii. 867.]

Yes; and I say to the English Members of this House—If you consent to vote for such a measure as that now before you, for the purpose of restricting the freedom of the Irish people, or, as you would express it, for carrying on the government of Ireland, because you have confidence in Her Majesty's Government—if that Government were to come forward and propose a similar measure; or, to use the words of the right hon. Gentleman, if they were to bring forward ten times as strong a measure for oppressing the people of England, you would be equally justified in recording your votes in favour of that proposal. I might go further, and show how far the spirit of this Alien Act is opposed to the genius and spirit of the British Constitution, in addition to the practical reasons I gave a short time ago in my reference to the state of the Irish nation in America, which is so great a political Power. But I do not wish to trespass unduly upon the time of the House by too minutely critizing special clauses in the Bill. I should, however, like for a moment or two to refer to a subject which has occupied a prominent place in our minds throughout all the stages of this discussion. I refer to the Phœnix Park atrocity. I am glad to see the right hon. and learned Gentleman the ex-Attorney General for Ireland and the junior Member for the University of Dublin (Mr. Gibson) in his place, because I have to complain that the right hon. and learned Gentleman, when he spoke upon this subject a few evenings ago, was the very first, as far as I know in this country, at any rate the first public man, and certainly the first man in this House, to venture upon casting any imputation upon the masses of the people of Ireland in connection with that terrible tragedy. What did the right hon. and learned Gentleman say? He said—"It is all very well to pass resolutions expressive of your horror at the terrible deed; but it must be borne in mind that the deed was carried out in daylight, that there must have been many witnesses, and, nevertheless, the assassins are still at large." Now, I will put this simple question. If an imputation is to rest on the character of the people of Dublin or the people of Ireland in connection with that barbarous crime, and the right hon. and learned Gentleman is to ask me where were the eyes of the people, I ask him where were the eyes of the police organized under the system of coercion he was so ready last year to recommend for the adoption of the House, and which has been carried out by his Friend the right hon. Member for Bradford (Mr. W. E. Forster)? "Where were the eyes of the police?" I ask, when you put the question, "Where were the eyes of the people?" I look upon the circumstances attending the perpetration of that crime as something which simply illustrates the chances of war. [*Cries of* "Oh!"] I certainly look upon it in that light. The failure to discover it is unaccountable, I admit, on any other supposition; but, if it be unaccountable—and the right hon. and learned Gentleman agrees with me that it is unaccountable—then he is not entitled to account for it by any secret sympathy with the assassins on the part of the Irish people. The Irish people of all classes have reprobated that crime. [*Cries of* "No!"] They have reprobated it, I think, in language which ought to bring home to every fair English mind a conviction of their sincerity; and I do not think it is fair for the right hon. and learned Gentleman to cast the imputation upon them which was indicated in his reference. As far as the people of Ireland are concerned they had every reason to expect that the administration which the late Lord Frederick Cavendish went to Ireland to carry out would be one calculated to promote the peace and the prosperity of that country; and I am sure that those among the Irish Members who knew the noble Lord in this House would have felt that, although they might be able to discover, at some time or other, in his policy an opponent, they would have found a generous opponent—a man with whom it would have been an honour to be associated even under the conditions of Party warfare. I do not know whether it is of any use appealing to the House to pause before assenting to the proposals contained in this Bill, by any reference to the consequences which have followed similar legislation in other countries. I think it is not necessary, because reference has already been made to it in the course of the debate; but I am sure the state of Russia at the present time, where measures of repression and coercion and despotic power in all its guises and forms are rampant, give no assurance whatever that similar legislation for Ireland will be productive of different consequences. I object then, Sir, to this Bill, because I think it is far in excess of what the situation in Ireland requires. There are many grave proposals contained in the measure, any one of which, if it stood alone, would excite considerable opposition. There is in this Bill such a catalogue of extraordinary and despotic powers, as I undertake to say were never before presented to the House at any period of English history, and such as I believe have seldom, if ever, been proposed to any Parliament at any time in the history of the world. Let me simply enumerate what these powers are before I sit down. First of all, you are asked to give to one man the power to abolish trial by jury in six different classes of offences; you are asked to give power to enter and search dwelling-houses at any hour by night and day; to give power to arrest any person out before sunrise or after sunset; power to try a person summarily and send them to prison for six months with hard labour, and without the right of appeal; power to arrest aliens and imprison them forthwith, if they refuse or are unable to give security for their good behaviour; power to expel aliens; power to suppress public meetings; power to suppress newspapers; power to summon witnesses before anyone who has been acccused; and power to levy compensation for injuries, and to levy a tax for the maintenance of extra police on a whole district—thus involving the innocent with the guilty in a common punishment. These, and many other powers too numerous to mention, are included within the four corners of this Bill. I say, therefore, that it is a revolutionary measure; that it is a measure which no precedent in English history can be quoted to justify; that, grave as the situation is in Ireland, the difficulties can be mastered without this drastic Bill; and I denounce it as an invasion of the rights of the Irish people, and a weak and humiliating and a shameful confession in the eyes of Europe that English administration in Ireland today, as in the past, is a disgraceful failure.

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER): Sir, I feel myself bound to notice some of the more important arguments advanced by the hon. and learned Member for Mayo (Mr. O'Connor Power), and also those which have been so ably urged by my hon. and learned Friend the Member for Dundalk (Mr. Charles Russell). In one observation of my hon. and learned Friend I entirely concur—that this Bill, if it be not a Bill aimed against crime, and in so far as it is not calculated to repress and put down crime, is not a Bill that ought to commend itself to the judgment of this House. But I trust the House will come to the conclusion that in one and all of its important clauses and provisions it is not only a Bill aimed against crime, but one calculated to accomplish its object. My hon. and learned Friend the Member for Dundalk (Mr. Charles Russell) has conceded that no amount of severity, or apparent severity, in the provisions of the Bill would disentitle it to the countenance of the House if it be really calculated to achieve that end; and really that argument needs no elaboration. In the present circumstances of the country, it is obvious that either the law must now assert its supremacy, or disorder must get the upper hand over law. Now, this measure has been described, and described with truth, as being a measure of coercion. In one sense it is a measure of coercion. It is a measure to coerce crime and compel the wrong-doer to obey the law; but it is not a measure of coercion in the sense of compelling the loyal, the well-disposed, and the law-abiding to do anything, or to make any sacrifice, which reasonable and honourable citizens ought not to be willing to do or to make in the circumstances of the country in which they live. One of the changes which this Bill introduces, and one which is merely of a temporary character, has been referred to both by the hon. and learned Member for Mayo (Mr. O'Connor Power) and by those who have preceded him in this debate—namely, the important clause which proposes to give the Judges the jurisdiction of trying both law and fact in certain criminal cases. My hon. and learned Friend the Member for Dundalk (Mr. Charles Russell) has argued, in reference to this matter, that the opinion which has been expressed by the Judges ought to have great weight with the Legislature, and ought to be of importance in determining the decision, inasmuch as they have raised an objection to the proposal of the Government, not on the ground of personal inconvenience, but upon public grounds. Of course, Her Majesty's Government, and those whose duty it is to advise the Government, must give the greatest weight to the opinions and representations of these learned persons. I most thoroughly concur in what has been said on both sides of the House as to the ability, the uprightness, the intelligence, and the fearlessness of the Irish Bench; and I know well that when the Legislature imposes on them the duty of determining the matters which this Bill confides to them, they will discharge that duty to the best of their ability, without fear, favour, or affection, At the same time, while admitting that their opinion is entitled to the greatest weight, yet Her Majesty's Government would not be justified in allowing that opinion to outweigh the best judgment they themselves have been able to form, if that judgment be in accordance with the opinion of the Legislature of the country. With reference to the unwillingness of the Irish Judges to undertake the work formerly discharged by jurors, it is important to observe that on a previous occasion the Judges entertained similar misgivings; but it turned out that their misgivings, were not justified by the result. I refer to the transference of the trial of Election Petitions to the Judges. At that time the Legislature transferred to the Judges the duty of deciding upon very important and delicate questions involving matters concerning Party politics—matters of the very utmost nicety. They shrunk at first from undertaking the duty. I can well understand their reluctance. It was precisely similar to the reluctance expressed now by some of the members of the Irish Judicial Bench with reference to the functions which this Bill proposes to impose upon them. But what has been the result? I do not think this House would be willing to take away from the Judges the duty which has been imposed on them, in regard to Election Petitions, against their will; and I believe the Judges themselves find, after all, that the honest and fearless discharge of public duties not only insures justice, but commands the confidence of the public; and I feel perfectly certain that when it is recognized by the public that this—which I admit to be an odious duty—is cast on the Judges by the Legislature, and is accepted by them, in obedience to the voice of the nation, and as a trust imposed on them, the public confidence in their integrity and justice will be in no degree shaken. Now, what is the necessity for this step? The hon. and learned Gentleman the Member for Mayo (Mr. O'Connor Power) has invited statistics in reference to the failure of juries to find a verdict of guilty when proper evidence has been given before them. I need not remind the House that it is utterly impossible that any such statistics can be given, because statistics are a mere matter of figures, whereas verdicts are a mere matter of evidence. And, although perfectly well known, as it is known in many cases—indeed, in most cases—of an agrarian character, that juries do not, as a matter of fact, discharge their duty, yet, while that is so, it is impossible to count up, in so many cases, at such an Assize, that juries went wrong, while in others they went right. The balance of evidence must, to a certain extent, remain as a matter of opinion; but, while it is a matter of opinion, it is a matter of opinion of the highest weight. Let anyone read the evidence given before the Committee of the House of Lords. The learned Judges examined before that Committee did not arrive at a conclusion from general and vague statements as to the failure in a particular class of cases; but they found the cases illustrated by examples and facts, and all resulting in the statement, on the part of those learned persons, that in agrarian offences, in a great part of the country, it is impossible to obtain a conviction. It is perfectly fair to point out that that failure of justice has, in many cases, resulted, not from any unwillingness on the part of juries to discharge their duty, but from the absence of evidence before the jury. I quite concede that that has been the case in some, and, indeed, in many instances, and that it will account for many of the failures of justice which have occurred. But, while that is so, it needs but little knowledge of human nature, and but very little knowledge of the Irish character, to corroborate the statement advanced by my right hon. and learned Friend the Member for the University of Dublin (Mr. Gibson) the other evening—that the Irish peasant will not come forward to give evidence in a case when he knows perfectly well that the man against whom he is required to testify is to be tried by his friends and neighbours, or by persons under whose terrorism the crime has been brought about, who, they know, will acquit the prisoner, whose ill-will they would be liable to subsequently. But if you once insure a perfectly fearless tribunal, justice will be done on the evidence presented to it, and evidence will be forthcoming in cases where otherwise it would not. Under these circumstances, having regard to these facts, and the terrible failures of justice which have taken place at every Assize, with the single exception of the Cork Winter Assize, which, let it be remembered, was so severely criticized in this House—under these circumstances, I say, we look forward to the operation of the tribunal to be constituted under this Bill as hopeful of the best results; and I, for one, cordially agree with what has been stated by the hon. and learned Member for Dundalk (Mr. Charles Russell), that, having such a tribunal as this, there was absolutely no fear of any innocent man being convicted. Everyone acquainted with the character of the men of which the Irish Bench is constituted, well know that they would not be less careful of individual liberty than juries. Therefore, Sir, I regard this clause of the Bill as being one of the very greatest importance. But there is another clause, not now in the Bill, which will be introduced as a Government Amendment before it passes this House. I refer to the clause indicated by the right hon. and learned Gentleman the Secretary of State for the Home Department, which, I hope, as an auxiliary to the ordinary exercise of the Common Law, will prove an efficient and useful instrument. It is to the effect that power shall be given to have cases tried in districts different from those in which crimes have been committed, by special juries, or by juries of superior intelligence, who will not be likely to be influenced by causes which terrorize or intimidate persons in a humbler and less defensible position. I look upon this Amendment as not unimportant. It will be placed on the Paper, I understand, immediately, and I believe it will do much to lighten the work of the tribunal. Another portion of the Bill has been criticized with great fairness by the hon. and learned Member for Dundalk, and by other speakers also. I refer to the summary jurisdiction which this Bill proposes to refer on Resident Magistrates. Now, my hon. and learned Friend has mentioned that many of the laws upon our Statute Book impose very severe maximum penalties for offences which might well be dealt with by smaller punishment. Many cases tried at the Assizes, which might well be dealt with in a summary manner, are now necessarily kept over for a considerable time, to the inconvenience of persons accused if they happen to be innocent, in a manner that sometimes amounts to a public scandal. It has, therefore, been deemed necessary to extend summary jurisdiction to many of these offences, but in a way which would not leave it in the power of the magistrates to whom it was intrusted to inflict the severe maximum penalties in our Statute Book. In point of fact, it is much more important that crime should be dealt with speedily and with reasonable certainty, and be tried free from the apprehension of violence and intimidation, than that it should be disposed of in a way that would insure heavier penalties at the cost of delay. Well, Sir, a Court of Resident Magistrates is naturally the one to which such offences will go. If it were proposed in this Bill that the trial of the class of offences to be referred to the Resident Magistrates should be intrusted to a Court composed of the country gentry and the landlord class, I need not say we should have had an outcry in this House with reference to the proposal that men engaged in agrarian occupations should be tried by their own landlords in relation to crimes connected with land. The arguments used against the Resident Magistracy would have been raised with more force if the proposal were that these offences should be tried by the local gentry. At the same time, it is obvious that there would be, under certain circumstances, great risk of inconvenience, and possibly even of injustice being done, if the magistrate who was engaged most in the course of his magisterial duties in investigating a crime, were afterwards to be the person to deal with it in the judicial capacity. That point has been fairly entered upon by my hon. and learned Friend; it is one to which the attention of the Government must necessarily be turned; and I am in a position to state that it is intended by the executive to make such arrangements in reference to these tribunals as will absolutely separate what I may call the Executive from the judicial functions of the magistrates, and that these judicial functions will be intrusted to magistrates who will have nothing to do but to decide in Court upon cases brought before them. That is a matter which I think ought to go far to relieve anxiety in any fair mind with reference to the constitution of these tribunals, and with reference to the exercise of their jurisdiction. Sir, this is a matter which has presented itself to the notice of the Government from within and not from without, and I will add that attention has been directed to it for a considerable time. Another matter has been mentioned this evening, which I am in a position also to state has already received the serious and earnest consideration of Her Majesty's Government. This Bill, it is true, contains no clause providing for appeal in cases of summary jurisdiction. But, in reference to that, although I am not in a position to say the matter is decided upon, I can assure the House that the question of the propriety of giving appeal in these cases—the same as is given in ordinary cases of jurisdiction—is one which is engaging the serious attention of Her Majesty's Government; and I believe that if it can be shown that the ends of justice will be served thereby, the proposal to give appeal will be adopted by them. And now, with regard to this most important portion of the Bill, which deals with the tribunals to be established in the place of juries, I may say, on the subject of summary jurisdiction, that I think the House need be under no apprehension that there is any desire on the part of Her Majesty's Government to do more than is necessary, or more than that which is acknowledged by all to be the object of the Bill—namely, the repression and punishment of crime and guilt where it exists, with some guarantee that no innocent man shall suffer, and that jusce shall be done and nothing but justice. My hon. and learned Friend the Member for Dundalk said that he regretted some of the other provisions of the Bill, amongst them that relating to the Press. Sir, I am unwilling to recall to the memory of the House what are the circumstances under which some clause of this kind has become absolutely imperative; but I will say that from one end of Ireland to the other, those connected with the administration of the law have arrived at the conclusion that unless something is done to put a stop to the dissemination of the pernicious matter daily circulated there, the country will never be at peace. I need not particularize these publications. We have had them under the notice of the House, and they continue to circulate now. In one paper we read of five dollars being offered for the assassination of a landlord; in another we have directions given as to the manufacture of dynamite for the destruction of public buildings and persons named. [An hon. MEMBER: In Irish papers?] I did not say in Irish papers. We find also offers of rewards to persons to go to America, whose expenses will be paid, and who will be taught the use of dynamite, and then sent back to use it. We find these things in *The United Irishman*, and we find them with scarcely less openly avowed murderous intention in other papers which circulate throughout the length and breadth of the land, or did so until the Government so far put a stop to them. I do not refer specially to Irish papers, although in this House there has been evidence given from Irish papers themselves of the publication of matter scarcely less mischievous than that to which I have alluded. As regards these newspapers, therefore, it is is quite necessary that they should be dealt with. "Deal with them by the ordinary law," say some of our friends—that is to say, by trial by jury, which has failed in the manner I have described in connection with every other kind of agrarian offence. Now, I ask, under these circumstances, what would be the use of these prosecutions? Their effect would be simply to give a stimulus to the circulation of particular papers, and to give them greater publicity and notoriety. And here it should be borne in mind that we are not proposing a perpetual law, but a law to meet a temporary necessity. We are acting in this matter purely on the defensive; we are acting tor the rights and liberties of the nation; we are not attempting to gag or stifle any free discussion; we are aiming simply and strictly at crime alone. Are we, then, to wait until it is decided whether the publications I have alluded to are criminal or not? Are we to wait until the whole thing is done, and then institute a prosecution which will lead, perhaps, to a verdict of triumphant acquittal? This matter must be dealt with by someone. Should it be left to the magistrates? I can well understand the objections to that course. I think the liberties of the Press are better protected by the exercise of a discretion which must rest with the Chief of the Executive, and I believe there can be no better guarantee given than is afforded in the present case. The same difficulty presents itself in connection with public meetings, as I have indicated in the case of certain publications, and if these are to be stopped at all they must be stopped beforehand. There must, therefore, be some tribunal other than the ordinary tribunals established to deal with them, and the decisions in these matters is accordingly left to the Chief of the Executive. It is repugnant to everyone connected with the administration of the law to have anything to do with interference either as regards the publication of the Press or public meetings. But, at the same time, while there are publications of the Press and public meetings which the public interest demands should be permitted to go on, there are others which the public interest also imperatively demands should be put down. Therefore, it seems to me that in the case of public meetings also, no better guarantee can be given than that proposed in the Bill. I say, again, this is not a Bill which is to last for ever. It is a Bill to continue in operation for a certain time to meet a temporary necessity. Sir, I do not intend to enter at any considerable length upon a discussion of the other clauses of this measure, which are admitted by my hon. and learned Friend the Member for Dundalk to be, in principle, perfectly legitimate. I refer especially to the powers of search, and the powers conferred by the revival of the Alien Act, which will enable the country to deal with crime for the purpose of prevention. Some such provisions as these are necessary; and everyone who knows the country is aware that at this moment there are numbers of emissaries from the United States in certain Irish towns, many of whom are known to be organizing some work against the law. It is obvious, therefore, that there should be the power of making such persons give an account of themselves, and, in the event of their not doing so, of compelling them to go to a place where they have some legitimate business. It is the right of a community to defend itself in this way, and it cannot be suggested of the power in question that it will lead to the slightest harm or detriment to any law-abiding person. It is impossible to say that it will not cause personal discomfort; but that can only occur in very rare cases, and such discomfort, I am satisfied, any loyal subject of the Crown will be ready to suffer, in order that the community, of which he is a member, may be saved. With regard to the clause relating to the summoning of witnesses, to which the hon. Member for Mayo so strongly objects, I am bound to say that the force of his objection is not apparent to me. There is power in the Bill to enable magistrates to summon witnesses to give evidence even when no person is charged. I cannot see that there is any hardship in asking a person to give evidence in that manner. If a crime has occurred, and a person knows about it, he is bound to state what he knows; on the other hand, if he knows nothing, he will say so. The summoning of witnesses in this way is of every-day occurrence in the case of Coroners' inquests, where it is to the interest of the public that a full investigation should take place; and I feel satisfied that if this power had been in existence some time ago, we might have been able to unearth some of those connected with the most desperate assassinations in the country. That is my conviction when I recollect the murder of the two persons at Lough Mask, whose bodies were put into a boat, taken out into the lake, and sunk in the presence of persons who must have seen what was going on; and I think it is a scandal to our power to say that there is nothing to compel them to come forward and say they saw it. Therefore, it seems to me there can be no valid objection to such a clause as that to which I have referred. With regard to the provisions which impose pecuniary fines on districts in which murder, injury, or maiming have occurred, no doubt there is a *primâ facie* objection here, just as there is in the case of the cost of additional police; but after all, while that is so, there is nothing in the clause which is repugnant to the principles of the law under which we have lived in England. It is but the old Common Law of England, under which the Hundreds were responsible for one another; and it is the same as the law in Ireland with reference to malicious injury to property, which gives power to recover compensation for injury, to be assessed by the Grand Jury. Here we have not thought proper to throw on the Grand Jury the powers of this Act, but have thought it better, in order that the investigation may be prompt, that this jurisdiction should be conferred on persons not connected with the districts. Surely, if it be right, when a house is burned without evidence of combination—a thing that may be exceptional—that it should be left to the decision of the jury to mulct the district for an unknown amount, there is no unfairness in attempting to achieve two objects—one to compensate the family of the victim; and the other to convince the people of the neighbourhood that it is their own pecuniary interest to protect themselves and their neighbours, and to combine to put down crime and outrage. I have great faith in that argument, and I know no class of persons with whom it has greater weight than Irish Members. In many cases the fear of pecuniary results has prevented agrarian crime. I believe, therefore, that this Bill, in one and all its provisions—I do not say in reference to one and all its details—but in all its features this Bill deserves the support of the House as being an honest effort to protect the community against crime and outrage. It has been described as the most severe measure ever passed for Ireland; but anyone who makes that statement cannot have carefully read Lord Grey's Act of 1833, the provisions of which infinitely transcend this Bill in stringency. As regards the provisions of this Bill, the functions cast on the police will be, as far as possible, minimized in severity. Whilst houses are to be searched for apparatus of crime, that search is only to be conducted on the individual and personal responsibility of an officer present on the occasion, and shall not be left to be exercised by constables or by persons against whom charges might subsequently be made that they were acting beyond their powers. The Bill seems to me one which eminently deserves the support of this House. We are at present discussing an Amendment to go into Committee. Many of the topics presented to the House seem to me more suitable for the second reading than for Committee; but as these matters have been brought before the House, it was necessary to satisfy the House, as I have endeavoured to do, that however this Bill may be in some respects amended, in the main it is a Bill calculated to attain its object, and that in the administration of it will lie the best hope for the peace and prosperity of the country; and that, although some of its provisions may look strict and severe, yet in their strictness lies the greatest mercy for the community.

MR. DILLON said, he would move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Dillon.*)

Motion *agreed to.*

Debate *adjourned* till *To-morrow.*

PREVENTION OF CRIME (IRELAND) [ALLOWANCES AND EXPENSES].

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That it is expedient to authorise the payment, out of the Consolidated Fund of the United Kingdom, or out of moneys to be provided by Parliament, of allowances to Judges; and remuneration to persons appointed to investigate claims for compensation, as well as of allowances to officers and others, and of any expenses which may become payable under the provisions of any Act of the present Session for the Prevention of Crime in Ireland."—(*Mr. Trevelyan.*)

MR. HEALY asked, whether, when the Prevention of Crime Bill got into Committee, the House would be informed what the exact remuneration of the stipendiary magistrates would be, together with the names of the special constabulary officers who were to carry out the Act, and the amounts they were to receive?

MR. DAWSON said, he wished to know from the Law Officers what was really the distinction between Resident Magistrates and ordinary magistrates? It had been his privilege once to hear a great Constitutional lawyer—Chief Justice Whiteside—lay down the principle that there was no distinction, except for the legal acumen of the Resident Magistrates.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, there was no distinction, with one or two exceptions, he believed.

MR. DAWSON said, every day in Ireland the ordinary magistrate was dwindled into insignificance by the Resident Magistrate.

DR. COMMINS said, there were a great number of Statutes, from which it appeared that a Resident Magistrate was equal to two ordinary magistrates.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON), said, he thought that only appeared in one or two Acts.

MR. CALLAN asked whether there was any intention to limit the duration of office of Resident Magistrates? The Resident Magistrates, who had power to give six months' imprisonment without appeal, were the persons who were consulted by the police, and who directed them to institute prosecutions. Was there any intention to alter that state of things?

Mr. HEALY begged to repeat his question with regard to the amounts to be paid to the Resident Magistrates, whose salaries were now to come out of the Consolidated Fund.

Mr. DAWSON said, that the Resident Magistrates were merely appointed, because of their local knowledge, to assist ordinary magistrates; and he had heard Chief Justice Whiteside strongly condemn the conduct of an ordinary magistrate who gave way to a Resident Magistrate. It was becoming quite the rule in Ireland for the whole judicial functions of the Executive to be centred in those dictators, who ruled with the most imperious hand both the magistrates and the people of Ireland. Why were these Resident Magistrates chosen to be the new Judges? They were the men who reduced a policemen if he did not bring forward charges of crime, and then they became the judges of the crimes themselves. He thought the attention of the House should be strongly directed to this matter. By this system the magistrates had been made bad by exalting them, and it made the ordinary magistrates bad by degrading them from their proper functions.

Sir WILLIAM HARCOURT said, he was not aware that this Committee had any reference to Resident Magistrates. There was no proposal in the Bill to take any money for Resident Magistrates, and the money part of the Bill only referred to the Judges and the extra work which they would have to perform. He, therefore, hoped that there would be no further opposition to this proposal, which was merely to provide extra salaries for the discharge of extra duties.

Mr. O'DONNELL said, that, as far as he could understand, the House was now being asked to grant facilities for the furtherance of a system of policy which was to substitute arbitrary power for the last vestiges of Constitutional Law in Ireland; and he was disposed to oppose that proposition according to the Constitutional Forms of the House. He was disposed to take a division against the proposal—in the first place, because it seemed to him that the proposal assumed that the prospect of the Bill which was at present before the House being amended in any essential degree was absolutely hopeless. The House was also left entirely in the dark as to the manner in which these proposed agents of coercion were to be remunerated. He had not the slightest idea of, and no information had been afforded as to, the manner in which this remuneration would be apportioned; and, under those circumstances, he was not inclined to take a leap in the dark, especially in connection with such a subject. He had been unable to catch exactly the precise form in which the questions had been put to the House, although there had been a good deal of examination and cross-examination between hon. Members on both sides of the House; but, as far as he could gather, the present question was one upon which a division could be taken, and if he could find a Teller, or one hon. Member to divide with him, he would take a division against any measure to be used as an excuse for furthering the establishment of Constitutional despotism in Ireland.

Mr. HEALY said, he regarded this matter as purely *pro formâ*, and did not see any necessity for entering any protest upon it. He simply raised the question for information, thinking that the salary of the Resident Magistrates was involved; but if the Judges were to have extra work they would surely have to be paid for it.

Mr. O'DONNELL said, he objected to the extra payments to Judges under these circumstances. He did not like the idea of paying either by piecework or by the day in the case of jurors to whom such powers would be given as were now to be established in Ireland. The further subvention of Government functionaries in the place of Constitutional juries was a proposition which should be opposed from the initial step in which it came before the House. If he was not supported his opposition would fall to the ground; if he was supported he should go to a division.

Mr. SEXTON said, he thought there was a good deal in what his hon. Friend had said. The Government were proposing to take the first step for providing funds for persons who were to have duties imposed upon them under the

Prevention of Crime Act; and he thought it would have been more orderly to wait till the Bill had passed through Committee, because then it would be known whether those duties were to devolve on the Judges or not.

SIR WILLIAM HARCOURT said, that course could not be adopted, because the House could not go into Committee upon a Bill containing money charges without this Motion. The hon. Member for Wexford (Mr. Healy) was quite right in regarding this as a formal proceeding to allow a Vote in Committee in regard to a Bill which included money provisions, and the Motion in no way affected the principle of the Bill. It was simply a formal proceeding, which was absolutely necessary before the House could go into Committee on any measure including money charges.

MR. SEXTON said, he was very sorry the Government had not seen their way to tell them what was the amount of remuneration they proposed to give. If they found the amount proposed to be given to the Judges was in excess of what they considered proper, they would, no doubt, think that it might assume, to a great extent, the form and nature of a bribe. There might be excessive remuneration given for the purpose, and the Judges might be disposed to give decisions very much opposed to the public interest. He was inclined to support his hon. Friend the Member for Dungarvan (Mr. O'Donnell).

MR. TREVELYAN said, that no extra allowances would be paid to the Resident Magistrates, and as soon as the allowances to the Judges were fixed he would communicate the information to the House.

MR. O'DONNELL said, the proposal was practically in the nature of a Vote of Supply for Coercion, and it was with regard to its special application to the Judges that objection was taken. There were two facts before the Committee. The first fact was that the Judges of Ireland had unanimously protested against the new duties; and the second fact was that the Government proposed to give to these unwilling Judges such pecuniary inducement as would soften their disinclination and cause them to take up the odious work of coercion. There could be no more scandalous proposal. No proposal had been made with such indecent haste, and no proposal could be more calculated to fill the people of Ireland with the most justifiable distrust of the powers proposed to be conferred on the Judges. They had got the whole Irish Bench protesting against the proposal to convert them into Judge and jury at once; and they had the Treasury asking the Representatives of the Irish people to facilitate them in the work of placing such pecuniary rewards at the disposal of the Judges as would induce them to take up the work of coercion. That was the plain English of such a proposal. If such a proposal were made in a foreign Parliament, there was no English paper that would not hold it up to scorn and detestation. They held it up to the scorn and detestation of every son of Ireland, in whatever part of the world he might be. If there was an objectionable feature in the proposed coercion, the proposal to bribe the Judges of Ireland to go against their own consciences was, perhaps, the most atrocious.

DR. COMMINS said, he confessed there was something which was very singular in the proposal. The suggestion to give remuneration to the Judges came upon them by surprise.

MR. TREVELYAN: I would refer the hon. and learned Member to Clause 24.

DR. COMMINS said, that clause only made the thing worse. Special Commissions were not unknown in England; and he challenged the Home Secretary, who, no doubt, was well acquainted with the subject, to point out a single instance in which a Judge, for holding a special commission, had received one penny in addition to his stated salary. It was only a few years ago that there were only two commissions of gaol delivery in the year; now there were four; so that the work of the Judges in this respect had been simply doubled. Not a farthing, however, had been added to their salary. No such inducement to perform the extra work was offered to them as was now offered by this Bill to the Irish Judges.

MR. SEXTON asked whether, when they got to that part of the Bill providing for the establishment of a Court of Special Commission, the Chief Secretary would state what amount it was proposed to give to the Judges?

MR. TREVELYAN promised to state the amount before they got to the clause.

Question put.

The Committee *divided:*—Ayes 92; Noes 21: Majority 71.—(Div. List, No. 100.)

Resolution to be reported *To-morrow.*

POOR LAW GUARDIANS (IRELAND) BILL.—[Bill 7.]

(*Mr. Leahy, Mr. Gray, Mr. O'Sullivan.*)

COMMITTEE. [*Progress 22nd May.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Guardians to hold office for three years).

Mr. TOTTENHAM moved, in page 1, line 11, to leave out "three," and insert "two." The Bill involved an entirely new principle of election in the case of Poor Law Guardians. Being more or less a tentative measure, and considering the new class of Guardians who, under the system of the ballot, would be elected, he thought it was expedient that Guardians should not be elected for more than two years. Such was the object of the Amendment he now proposed.

Amendment proposed, in page 1, line 11, leave out "three," and insert "two." —(*Mr. Tottenham.*)

Question proposed, "That the word proposed to be left out stand part of the Clause."

Mr. WARTON asked, whether, in the event of the Amendment being negatived, they should propose that "one" should be inserted instead of "three?"

The CHAIRMAN: The Question is that the word "three" stand part of the clause. The Committee must first negative that before any other Amendment can be moved.

Mr. GIBSON said, the Bill proposed to make a complete revolution in the mode of electing Poor Law Guardians in Ireland; and it proposed to make a great change in the character and duration of their office. He assumed that the Irish Government had got a full and complete Report from the permanent administration of the Local Government Board in Ireland, indicating their opinion upon each clause and each Amendment placed on the Paper. The Amendments had been on the Paper for some days, and the Committee were entitled to hear a clear statement as to the opinion of the Department upon the Amendments as they were made. This was rather a late hour to proceed with the Bill, though he did not wish to throw any obstacle in the way of the progress of the Bill on that account. He might, however, take an objection which was at once temperate and reasonable. At present the tenure of office of Poor Law Guardians was one year; it was now proposed to extend it to three years. That was an immense change. His hon. Friend (Mr. Tottenham) suggested the advisability of only doubling the present tenure of office. He (Mr. Gibson) admitted that elections were a source of great expense to the Unions; but, under all the circumstances of the case, he thought it might be well to make the duration of office of a Poor Law Guardian not longer than two years.

Mr. GRAY said, he did not think there was any great question of principle involved, either in the proposal in the Bill, or in the Amendment now under consideration. The suggestion that the appointment of a Poor Law Guardian should endure for three years instead of one was made in accordance with the recommendation of the Select Committee which investigated the matter, and it was made simply and solely for the purpose of avoiding the expense of frequent elections. It was considered that if they provided for triennial elections they could get over the one substantial argument which was urged against the change—namely, that it might involve some additional expense. He was sure, however, that if the Government thought it would be well to accept the Amendment, no objection would be raised on the part of his hon. Friends.

Mr. TREVELYAN said, that, on account of the multifarious matters he had had to attend to, he had had very little time to devote to the consideration of the Bill now before the Committee. He had been enabled, however, to obtain the general views of the Board, and they appeared to be consistent with common sense, though he was not quite sure it would be easy to carry them out in the Bill. With the general object of the Bill the Board were quite in harmony. The Board saw no objection to a Poor Law Guardian holding office for three years; but, at the same time, they considered that a general election every three years might, if it took place over the whole town, cause an amount of excitement in troubled times which it was not desirable to create. They were, therefore, of opinion that one-third of the Guardians should retire annually; and that it should be so arranged that the elections should take place in certain wards or divisions of the town one year, and in different wards or divisions another year. They would thus, instead of having one general election every three years, have elections annually, but in different districts of the town. He did not disguise from himself the fact that there might be some difficulty in making such a provision in the Bill. The Government saw no objection to Guardians holding office for three years, though if, in order to pass the Bill through the House, hon. Members below and above the Gangway opposite were to agree to two years, the Government would not object. There was one objection which the Board took to a particular clause of the Bill. The objection appeared to be well-founded, and had reference to the clause which entitled each voter to deposit as many ballot papers in the box as he had single votes.

Amendment *agreed to.*

Mr. WARTON moved, in page 1, line 13, to leave out "at present," and insert "now." He considered "at present" was rather too colloquial for an Act of Parliament; "now" was far preferable.

Amendment proposed, in page 1, line 13, leave out "at present," and insert "now."—(*Mr. Warton.*)

Amendment *agreed to.*

Mr. TOTTENHAM moved, in lines 14 and 18, to leave out "three," and insert "two." The Amendments were simply consequential upon the Amendment he had just proposed.

Amendment proposed,

In page 1, line 14, leave out "three," and insert "two;" also, in line 18, leave out "three," and insert "two."—(*Mr. Tottenham.*)

Amendment *agreed to.*

Mr. TOTTENHAM moved, in line 18, after "vacancy," to insert—

"Provided such vacancy shall not have occurred within three months of the expiration of the term aforesaid."

The object of the Amendment was to provide that, in the event of a vacancy occurring within the last three months of the term of office of a Guardian, the electors or the Union should not be put to the expense of a bye-election, because another election would have to take place in three months.

Amendment proposed,

In page 1, line 18, after "vacancy," insert "Provided such vacancy shall not have occurred within three months of the expiration of the term aforesaid."—(*Mr Tottenham.*)

Question, "That those words be there inserted," put, and *agreed to.*

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clause 2 (From 1st March 1883 elections to be conducted by ballot).

Mr. FITZPATRICK moved, in page 1, line 26, after "shall," to insert "except in the case of persons voting by proxy." He proposed the Amendment in the interest of the Bill, and in the interest of those persons who had a stake in the country, and who generally voted by proxy. It very often happened that a man had property in one or two electoral districts. If all the elections were taking place on the same day, such a man would have, like Sir Boyle Roche's bird, to fly backwards and forwards, and possibly be unable to be in the right place at the right minute. Their property and their interest would, in consequence, be unrepresented, unless they allowed voting by proxy. In other places the system of proxy voting had been found to work well, and he could not see any valid reason why it should not be introduced in Ireland. He, therefore, ventured to move the Amendment.

Amendment proposed, in page 1, line 26, after "shall," insert "except in the case of persons voting by proxy."—(*Mr. Fitzpatrick.*)

Question proposed, "That those words be there inserted."

Mr. GRAY said, the Amendment struck at the very essence of the Bill, and if it were passed the Bill might very well be abandoned entirely. The propriety of abolishing proxy voting was fully discussed on the second reading. The arguments in favour of proxy voting did not apply solely to the election of Poor Law Guardians, but to the election of Members of the House of Commons.

If a man were qualified to vote in three or four constituencies, it was evident he could not be in the right place at the right time for all the elections; he must, therefore, decide at which election he would vote. If a man could vote by proxy for Poor Law Guardians, he ought certainly to be entitled to vote by proxy for Members of the House of Commons. It must be remembered that, originally, Boards of Guardians were constituted to dispense relief to the poor, and there might then have been some excuse for proxy voting. Latterly, however, very much more important duties had been imposed upon them; duties involving, in many respects, an interference which the liberty of the subject, and the administration of the sanitary laws. If there was any reason whatever why a man should be entitled to vote by proxy for the election of persons to carry out duties of this kind, there was quite as much reason why they should vote by proxy for the election of members of Town Councils and other bodies. The whole subject was adequately discussed on the second reading; the House sanctioned the abolition of proxy voting, and he hoped the Committee would not now destroy the Bill by the adoption of the present Amendment.

Mr. TOTTENHAM said, that, as far as his recollection served him of the discussion which took place on the second reading, no exception was taken to the proxy vote. On the contrary, when he had raised the point, he was corrected by hon. Gentlemen below the Gangway, who said that no objection was taken to the proxy vote. The principal thing which entitled the owner of property to have a proxy vote, or to have some little advantage over those who possessed the ordinary vote, was that he paid, in the first instance, one-half of the whole of the rates, and in the case of holdings under £4 he paid the whole. Surely a person occupying that position was entitled to vote by proxy quite as much as a man who only paid half of his own rates was entitled to vote in person. Take the case of ladies who were the owners of property; it was absurd to expect that they could run from one place to another—to perhaps half-a-dozen places consecutively on the same day in order to record their vote. In the same way, persons who were not *ex-officio* Guardians, but who happened to be non-resident, although fully entitled by their contributions to the rates to have some voice in the election of Guardians, were deprived of their votes. He did not think there could be any reasonable objection to the Amendment proposed by his hon. Friend; and if his hon. Friend felt dispose to divide the Committee he would support him.

Colonel NOLAN said, that one objection to the proxy vote was that it led to very great complications. He had had many objections sent to him from the country about the voting, and particularly to the proxy vote. Most of the objections to the voting had relation, however, to the intimidation which was practised, and to other irregularities which were committed in reference to the vote; but if they required the votes to be deposited by ballot they would get rid of much of the objection now entertained. He did not think it was expedient to adopt the Amendment.

Mr. GIBSON said, he was of opinion that if they got rid of the proxy vote they might do away with a certain amount of complaint; but, at the same time, they would get rid of a good deal of the power of those who had to pay the rates. He failed to see the slightest analogy in the case mentioned by the hon. Member for Carlow (Mr. Gray)—namely, that of Poor Law Guardians, and the election of Members of Parliament. To the Guardians were intrusted the actual duty of dispensing the money paid by the ratepayers. The landowner, as had been pointed out by his hon. Friend the Member for Leitrim (Mr. Tottenham), had, in the West of Ireland, where the holdings were very small, and mostly under £4 in value, to pay every farthing of the poor rates; and it was most unreasonable, at this time of day, to deprive the landowner of his right to legitimate representation. He thought the owners of property were entitled to fair consideration, and he asked for nothing more. It was to be borne in mind that the right hon. Gentleman the Chief Secretary to the Lord Lieutenant had indicated that the Bill, when passed, would still leave the country agitated by the constant recurrence of these Poor Law elections; but they would take place in future on the same day, and the Guardians would be elected for three years. In the absence of some satisfactory check, he thought it was advisable to deal cautiously with any changes in the existing law. It might be wise or reasonable to abolish proxy voting, if the Legislature would so modify the system of election that owners of property would be able with facility to get from one election to another; but to have all the elections taking place at the same time would render it impossible for the owners of property to exercise all their franchises, although vitally interested in them. It was not like the voting for Members of Parliament in different counties. In voting for one Member, they might vote for one that might represent all their interests in the Imperial Parliament, and the same individual might enjoy the luxury of voting for four or five. But the voting for a Poor Law Guardian was quite a different thing. Then they were voting for men who were to expend the rates they so largely contributed to. He was not sure that this was the best place in the Bill for raising the question of voting by proxy; but he did not agree with the hon. Member for Carlow (Mr. Gray) when he said that voting by proxy was the principle of the Bill. The Preamble of the Bill recited that it was desirable that in all contested elections for Poor Law Guardians the poll should be taken by ballot. He thought the question now raised would come in much better in Clause 4 than in the present clause; but that was a matter for the consideration of his hon. Friend.

Mr. O'SULLIVAN said, the question now raised involved one of two great principles contained in the Bill, the first being the establishment of voting by ballot, and the second doing away with voting by proxy. In regard to the latter object, he certainly desired to destroy that principle as far as he was able. The hon. Member for Leitrim (Mr. Tottenham) said the landlord paid one-half of the rates; but even if he were deprived of the right to vote by proxy, it must be remembered that he would still have half the representation of the Board, without any trouble at all, as the magistrates, who were all landowners, composed the *ex-officio* Guardians, who were not required to stand any election at all. Surely that ought to be sufficient for them. Persons who had property had it generally in the same Union, and no Union was so large that he was unable to vote personally at more than one election, even where they took place on the same day. He might go into seven or eight divisions on the same day without great inconvenience. If the Committee accepted this Amendment in any shape or form they would destroy one of the principles of the Bill. He thought it was quite sufficient for the landlords to have one-half of the representation on the Board in the *ex-officio* Guardians, without wanting also to have the greatest part of the elected Guardians. The right hon. and learned Member for the University of Dublin (Mr. Gibson) complained that the election of Guardians would cause great agitation all over the country during a particular week. But the same thing had taken place all over the country ever since the Unions were established, and this Bill would really lessen the inconvenience, because the elections in future would only take place once in every three years. He believed the abolition of voting by proxy was quite as important as election by ballot; and he should, therefore, oppose the Amendment.

Mr. TREVELYAN said, he did not quite agree with the argument of the hon. Member for Carlow (Mr. Gray), although he certainly did agree with the hon. Member's conclusion. He failed to see the same perfect analogy between this case and that of the Parliamentary representation. In his opinion, the vote in the latter case did not represent property, but the personalty of the man, who was entitled to exercise the vote; whereas, in the case of the Poor Law Guardian, the vote did really represent property. But he did not think that that difference between the hon. Member for Carlow (Mr. Gray) and himself made them differ in their conclusion. As far as he could gather, there was no statutory day actually fixed for these elections; but there was a certain margin, although not a very wide one, within which they could be held. It was large enough, however, to make it that persons possessing property in different Unions should not be debarred from voting, during the same election, in all of them. Under these circumstances, he thought it was necessary that very great inconvenience should be shown to exist before the Committee should be induced to give their support to the proposition, especially when it was considered that if it were adopted there would cease to be any secret ballot at all. He did not think the position required much argument. If there was any value in the secrecy of the ballot, he was satisfied the Committee would not accept the Amendment. It was said that coercion would be used to influence the vote. He was not yet sufficiently acquainted with Ireland to know what pressure might be resorted to in these elections; but he concluded that there was good ground for the complaint which was made. If the Committee were prepared to support the Bill at all, he was of opinion that upon this ground they ought to be unwilling to accept the Amendment which the hon. Member had submitted to them.

Mr. WARTON said, he had great difficulty in supporting the view taken by the right hon. Gentleman the Chief Secretary, and other hon. Members who had spoken on the same side. What was the present difficulty? It was that persons who possessed property had it situated probably in several Unions, and they were unable to vote personally in all of them; whereas, in the case of Parliamentary elections, the same difficulty was not experienced in voting in four or five counties. The point raised by the right hon. Gentleman was that the secrecy of the ballot would be interfered with unless every person was compelled to vote by ballot. He (Mr. Warton) did not see why it should not be possible to devise some means by which a person having a single vote might be required to vote by ballot, and yet that another person entitled to several votes should have the power of voting by means of voting papers. There were complaints in regard to the single vote which did not apply to voting papers, and the reason was that a person having only one vote was open to influence, while those having more than one were not likely to be subjected to undue influence. He thought something should be done to allow those having plural votes to vote by means of voting papers.

Mr. FITZPATRICK said, he thought that, after the speech of the right hon. Gentleman the Chief Secretary, it would be wiser for him to withdraw this particular Amendment; but he thought the right hon. Gentleman would be able to satisfy himself, after he had had a little more acquaintance with Ireland, that this class of voting was actually necessary. He would bring on the question again upon Clause 3 on an Amendment, of which he had given Notice, in line 11. He trusted that the right hon. Gentleman would consult with the Local Government Board on the matter, and ascertain if it was not possible to frame rules which would allow of the transmission of voting papers.

Amendment, by leave, *withdrawn.*

Mr. GIBSON said, the next Amendment was one which he did not think there would be much difference of opinion upon. The clause provided that, from the 1st of March, 1883, the elections should be conducted by ballot, and the poll at every such election should, so far as circumstances admit, be taken in the manner now prescribed by law for taking the poll at contested municipal elections in Ireland. He proposed to add to the end of the clause the words "any dispute at such elections as to the validity thereof to be determined by the Local Government Board." If some such Amendment were not adopted all the expense and paraphernalia necessary for putting an election in motion might be thrown away.

Amendment proposed,

In line 28, to add the words, "any dispute at such elections as to the validity thereof to be determined by the Local Government Board." —(*Mr. Gibson.*)

Question proposed, "That those words be there added."

Mr. HEALY asked if the right hon. and learned Gentleman had any objection to add to the Amendment the words "after due legal inquiry?"

Mr. GRAY said, the Amendment suggested by his hon. Friend the Member for Wexford (Mr. Healy) was unnecessary, as the Local Government Board already possessed the power to inquire.

Question put, and *agreed to.*

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clause 3 (Local Government Board to frame regulations by sealed order).

Amendment proposed, in page 2, line 7, leave out "person," and insert "clerks of unions."—(*Mr. Fitzpatrick.*)

Question proposed, "That those words be there inserted."

MR. O'SULLIVAN said, he thought the Amendment was quite unnecessary. There were officers already in existence who were empowered by the Local Government Board to carry out these elections.

MR. GRAY said, that there was only one clerk of a Union, although there might be many electoral divisions. All the elections took place at the same time, and the clerk of the Union could not be in a number of places at the same time. The system would work precisely as it did at present if the clause were left as it now stood.

Amendment *negatived.*

MR. TOTTENHAM said, the object of his next Amendment was to declare that those contemporaneous elections in different parts of the Union should take place at the workhouses of the Unions, in order to prevent their unnecessary multiplication and increased expenses and staff.

Amendment proposed, in page 2, line 8, after "places," insert "being the workhouses of such unions." — (*Mr. Tottenham.*)

Question proposed, "That those words be there inserted."

MR. WARTON pointed out that this wording would not agree with the word "places" standing in the clause.

COLONEL NOLAN said, that the effect of the Amendment of the hon. Member for Leitrim would be to reverse the whole policy of the Parliamentary Ballot Act, inasmuch as it would make it necessary for the small tenants to come to one place from a distance of many miles around in order to vote at the Poor Law elections. He should certainly oppose the Amendment.

Question put, and *negatived.*

MR. FITZPATRICK said, the Local Government Board having power, under the Bill, to make certain regulations with regard to Poor Law elections, he proposed they should also make arrangements for the transmission of proxies. He had no doubt, after the speech of the right hon. Gentleman the Chief Secretary to the Lord Lieutenant, that he would agree to this Amendment.

Amendment proposed, in page 2, line 11, after "poll," insert "and for transmission of proxy votes to returning officer."—(*Mr. Fitzpatrick.*)

Question proposed, "That those words be there inserted."

MR. HEALY rose to Order. He wished to ask whether this Amendment could be put, inasmuch as there was no reference to proxy votes in the Bill?

THE CHAIRMAN said, there was no objection to the Amendment in the form proposed.

MR. T. A. DICKSON said, he objected to the Amendment. They were quite capable of doing their own business in that House without leaving it to the Local Board; and, if he recollected rightly, on the second reading of the Bill this system of voting by proxy was condemned, and all the voters placed in an equal position.

MR. GIBSON suggested that the Amendment should be negatived, unless hon. Members below the Gangway wished to proceed with it.

Question put, and *negatived.*

Clause *agreed to,* and *ordered* to stand part of the Bill.

Clauses 4 and 5 *agreed to.*

Clause 6 (School-houses, constabulary barracks, &c., may be used for taking the poll at poor law elections).

MR. GIBSON said, the clause provided that the Returning Officer at an election for a Poor Law Guardian in Ireland might use, free of charge, for the purpose of taking a poll at such election, any room in any national school-house, constabulary barracks, or Court or Sessions House in Ireland, which might be convenient for the purpose. He did not object to the Court or Sessions Houses in Ireland being used for polling; but he greatly objected to the school-houses being used for that purpose. He would not go into any argument on this subject, but would merely express his opinion that it would be quite sufficient to use the Petty Sessions quarters for taking polls. The use of school-houses for the purpose was objectionable, as was still more so the use of constabulary barracks.

Amendment proposed, in page 2, lines 29 and 30, leave out "room in any national school - house, constabulary barracks, or."—(*Mr. Gibson.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. HEALY said, that it was the universal custom in England to use board school-rooms for the purposes of these elections; and he was, therefore, unable to see what objection there could be to their being so made use of in Ireland.

Mr. GIVAN said, the object of this provision was to save expense to the ratepayers. Very often there was no Petty Sessions house in the Union, and if the national school-house could be used it would prevent expense. He thought the right hon. and learned Gentleman should withdraw the Amendment.

Mr. GIBSON said, he should be quite content to leave the matter to the consideration of the right hon. Gentleman the Chief Secretary to the Lord Lieutenant.

Mr. T. D. SULLIVAN said, he thought constabulary barracks were very objectionable places in which to hold these elections. On the other hand, he regarded the school-houses as very proper places to be used for the purpose. He was in favour of the words "constabulary barracks" being left out of the clause.

Mr. TREVELYAN said, his recollection was that all public buildings were properly used for the purpose of elections.

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 2, line 29, leave out "constabulary barracks." —(*Mr. Gibson.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Colonel NOLAN said, it was expressly provided in the Ballot Act that no stoppage should be made from the payments to the schools on account of the time occupied with the polling.

The CHAIRMAN said, that the Question now before the Committee was that of the constabulary barracks only.

Mr. O'SULLIVAN said, he had no objection to the present Amendment. He could see, however, no reason why it should have been proposed to leave out the words "school-house."

Mr. O'DONNELL said, he could see no real objection to the use of constabulary barracks for the purpose of elections. It was not in their own abodes that the constabulary were objectionable; it was when they broke into the houses of other people.

Mr. TOTTENHAM said, the practical objection to the use of constabulary barracks was that they generally had no room available for the purpose of taking a poll. As a rule, they contained only a kitchen and day-room, with dormitories and offices.

Mr. GRAY said, he thought that, whatever might be the feeling with regard to the action of the constabulary in certain districts, there was no objection whatever to entering the constabulary barracks for the purpose of saving expense to the ratepayers.

Amendment *agreed to.*

Mr. GIBSON said, it was obvious that at the end of this clause some words should be added which would prevent interference with public business at the places named. He, therefore, begged to move the Amendment in his name.

Amendment proposed,

In page 2, line 31, at end, add "and which may not interfere with the discharge or performance of the usual public business thereof." —(*Mr. Gibson.*)

Question proposed, "That those words be there added."

Colonel NOLAN said, he thought some words were specially necessary to protect the managers of schools from pecuniary loss in consequence of the school-houses being used for polling. He proposed to add words to the effect that no deduction should be made on account of the suspension of teaching from the grants to school managers. It was impossible that teaching and polling could go on at the schools at the same time; and, as he had already pointed out, it was inserted in the Ballot Act that no stop should be made for the suspension of teaching under similar circumstances. He was most anxious that no deduction should be made in the present case, and suggested that the right hon. and learned Gentleman should withdraw the Amendment before the Committee and accept that which he had indicated.

Mr. GIBSON said, he had no objection to the Amendment of the hon. and gallant Member; but he thought it was desirable to make provision for the polling to go on elsewhere when the building was required for public business. That was, however, a matter for the Government. With regard to the Court or Sessions Houses, it was undoubtedly necessary that these should not be interfered with, so far as the discharge of their business was concerned.

MR. T. A. DICKSON said, his experience was that the clerk of the Union would consult the convenience of the Court and magistrates in fixing the day of election. The magistrates would certainly not inconvenience themselves by allowing the election to take place at a time when they had public business to get through.

MR. GRAY said, that all the powers of the Local Government Board were preserved to them under this Bill, and they could certainly be relied upon to make proper provisions with regard to polling. It would be necessary that the work of the school should be suspended for the day in case of election; but that was a very small matter, and would not interfere with the business of the country to any appreciable extent.

Amendment *negatived.*

Amendment proposed,

In page 2, at the end, to add "no deduction shall be made from the allowances made to or for any school, on account of the suspension of teaching caused by the using of the school-house for the purpose of this Act."—(*Colonel Nolan.*)

Question proposed, "That those words be there added."

MR. T. A. DICKSON suggested that the word "national" should be inserted in the Amendment before the word "school."

Question put, and *agreed to.*

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clause 7 (Saving certain powers of Local Government Board).

On the Motion of Mr. GIBSON, Amendments made, in page 2, line 32, after "alter," by inserting "effect;" in page 2, line 34, by leaving out "under," and inserting "with."

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clause 8 *agreed to.*

MR. TOTTENHAM moved, on behalf of the hon. Member for Tyrone (Mr. Macartney), to insert, after Clause 6, the following new Clause:—

(Qualification for office.)

"No person shall be nominated as a candidate for the office of poor law guardian unless he shall be an occupier or owner of land situated within the electoral division for which he shall be nominated."

New Clause *brought up,* and read the first time.

Motion made, and Question proposed, "That the proposed new Clause be read a second time."

MR. HEALY said, he objected to one hon. Member moving an Amendment on behalf of another.

THE CHAIRMAN: In Committee any clause may be moved by one Member for another, but not in the House.

MR. TOTTENHAM said, he thought it was obvious that this clause ought to be inserted, because the person most fitted to represent ratepayers was the person who himself was a ratepayer within the electoral division.

MR. GIVAN rose to Order. This Amendment was conversant with the qualification, and not with the election of Guardians, and, therefore, could not be proposed.

THE CHAIRMAN: The title of the Bill is "Poor Law Guardians (Ireland) Bill."

MR. GIVAN: Elections.

THE CHAIRMAN: It relates to elections; but the general title is "Poor Law Guardians."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, this was a Bill for election of Guardians, and not for their qualifications; and it would be just as consonant to move that women might be elected Guardians as to move this clause.

MR. GIBSON said, that the clause was quite in Order, and that it was within the right of any hon. Member to move that women should be elected.

THE CHAIRMAN: It is quite within Order, because it has reference to the qualification of Guardians.

COLONEL NOLAN said, he strongly objected to the clause. It might happen that in an electoral division a person would be qualified with a £30 liability; and in the electoral division in which he lived, he believed there were only two persons who were properly qualified. One was a Guardian, but could not speak

English, and the other person would not serve, so that he was practically no Guardian at all. There were several similar cases. If the property qualification was removed, he should not object so much to the clause; but at the present moment he did object.

Mr. TOTTENHAM said, the qualification being only £20, he thought the objection of the hon. and gallant Member could not arise anywhere but in Connemara.

Colonel NOLAN said, he was a Chairman of Guardians, and he thought he might know something about the matter.

Mr. GRAY said, he objected altogether to anything which would limit the choice of the electors. If reliance was placed on electors, they must be allowed to select the men they thought most fitted.

Question put, and *negatived.*

Mr. O'DONNELL begged to move a new clause providing that ministers of all religious denominations might be elected as Guardians. He pointed out that it was a great part of the functions of Guardians to take care of the poor, and no person was better acquainted with the necessities of poor families than ministers of religion. On many occasions, where purely cheese-paring considerations had prevailed, ministers of religion had produced a good effect on Boards of Guardians; and he thought their services would be very useful during the famine season in Ireland. It was found that the way in which many Boards of Guardians had saddled their Unions with expenses for adequate relief was found to be a very serious difficulty; and in many other ways the system was injurious. There was no reason why membership of a religious denomination as a minister, or priest, or otherwise, should form a disqualification. If it pleased the electors to elect a priest, or a curate, or a vicar, he did not see why they should be prevented from choosing the men they thought best fitted to represent them on the Board. He thought the electors themselves were the best judges as to whom they were to send to represent them on the Boards of Guardians; and he held distinctly that there were special grounds why ministers of religion were well qualified for election. In 1880, upon some Bill which was before the House he brought this question up, and the late Chief Secretary for Ireland (Mr. W. E. Forster) very sympathetically expressed his approval of the suggestions he made.

New Clause (That ministers of religion of all denominations may be elected as guardians,)—(*Mr. O'Donnell,*) —*brought up*, and read the first time.

Motion made, and Question proposed, "That the proposed new Clause be read a second time."

Mr. HEALY said, there was one objection to this clause which the hon. Gentleman had not foreseen—namely, that there was scarcely a Poor Law Union in which ministers were not salaried officials; and they would, therefore, be excluded from sitting as Guardians. Therefore, although this clause might enfranchise a few ministers of religion, he did not think it was worth while to impede the Bill for that purpose.

Mr. GIBSON said, he hoped the hon. Member would not press his clause. He thought the Committee had gone through the Paper with reasonable rapidity; but to start a new clause now would be likely to provoke discussion, and he would suggest that it was better not to do that now, because it would obviously require three-quarters of an hour's debate.

Mr. O'DONNELL said, that in the most free-thinking countries in Europe there was no objection to ministers of religion, where the electors chose to elect them. In Germany and in France ministers of all denominations were eligible. He would not, however, press his Motion.

Motion and Clause, by leave, *withdrawn.*

Mr. T. A. DICKSON proposed to move a new clause, providing that any unmarried female, being of full age, and rated for relief of the poor to the prescribed amount, should be eligible to be elected as a Poor Law Guardian. He said this clause simply equalized the law in Ireland with that in England and Scotland. One Board of Guardians last week had approved unanimously of this clause being added to the Bill; and he had received from several Boards of Guardians expressions of their approval of the clause. He, therefore, hoped the

Committee would accept it. Speaking as a Guardian, he had often felt, in going the round of the wards, how beneficial women Guardians would be as to matters into which a man could not properly enter. Female Guardians were very useful in England, and he did not see why the same principle should not be adopted in Ireland.

New Clause (That any unmarried female, being of full age, and fully rated for relief of the poor, shall be eligible to be elected as a guardian,)—(*Mr. T. A. Dickson,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the proposed new Clause be read a second time."

MR. O'DONNELL said, he would move to omit the word "unmarried."

MR. GIBSON said, this was a most interesting matter, which was worthy of a full-dress debate. The hon. Member for Dungarvan had laid his hand on a weak spot of the Amendment, for it was obvious that unmarried ladies would have substantial difficulties in carrying on their work. It was clear this clause had been hurriedly drawn, and he would suggest that the hon. Member should turn it over in his mind and consult public opinion upon it, and see if the clause was regarded with favour. If it was, he supposed nobody would strongly object to it. He himself had no violent views either one way or the other, and was prepared to consider the question from an impartial and independent point of view.

Question put, and *negatived.*

Preamble *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

MOTIONS.

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (NO. 5) BILL.

On Motion of Mr. SOLICITOR GENERAL for IRELAND, Bill to confirm certain Provisional Orders of the Local Government Board for Ireland, relating to Banbridge, Ennis, Larne, and Londonderry, *ordered* to be brought in by Mr. SOLICITOR GENERAL for IRELAND and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 175.]

METROPOLITAN BOARD OF WORKS (MONEY) BILL.

On Motion of Mr. COURTNEY, Bill further to amend the Acts relating to the raising of money by the Metropolitan Board of Works; and for other purposes, *ordered* to be brought in by Mr. COURTNEY and Lord RICHARD GROSVENOR.

Bill *presented,* and read the first time. [Bill 176.]

ALDERSHOT CAMP ROADS BILL.

On Motion of Mr. Secretary CHILDERS, Bill to confer powers on the Secretary of State for the War Department for the formation of certain roads, and the stopping up of other roads near the Camp at Aldershot, *ordered* to be brought in by Mr. Secretary CHILDERS and Sir ARTHUR HAYTER.

Bill *presented,* and read the first time. [Bill 177.]

QUARTER SESSIONS PROCEDURE (AMENDMENT) BILL.

On Motion of Mr. HASTINGS, Bill to amend the Procedure of Courts of Quarter Sessions in certain cases, *ordered* to be brought in by Mr. HASTINGS, Mr. RICHARD PAGET, and Mr. GURDON.

Bill *presented,* and read the first time. [Bill 178.]

House adjourned at a quarter before Three o'clock.

HOUSE OF COMMONS,

Wednesday, 24th May, 1882.

MINUTES.]—PUBLIC BILLS—*Ordered—First Reading*—Local Government Provisional Order (No. 10) * [181]; Sale of Intoxicating Liquors on Sunday * [182].

Committee—Prevention of Crime (Ireland) [157], *debate adjourned;* Supreme Court of Judicature Acts Amendment [154]—R.P.

Third Reading—Local Government Provisional Orders * [131]; Local Government Provisional Orders (Poor Law) * [130], and *passed.*

Withdrawn — Industrial and Reformatory Schools (Loans) (Ireland) * [69].

IRELAND—RESIGNATION OF THE LORD LIEUTENANT AND CHIEF SECRETARY.

PERSONAL EXPLANATION.

MR. W. E. FORSTER: Sir, I beg to ask the House for its attention and indulgence for a few moments while I make a short statement on a personal matter. It arises out of an incident which happened yesterday, at the close of the debate on the second reading of the Arrears Bill. I was not in the body of the House at the time. Had I been, I should have said what I have to say then, and I should have saved the House the trouble of attending to me now. My right hon. Friend the Prime Minister called the attention of the right hon. Gentleman the Member for North Lincolnshire (Mr. J. Lowther), who, I am sorry to see, is not in the House. I sent him private Notice, but possibly he may not have received it. My right hon. Friend called his attention to a statement which he was reported to have made in Yorkshire. It was, I think, to the effect that "Mr. Forster's Colleagues were conducting clandestine negotiations, to a great extent, wholly unknown to him." I must admit that I did not read that speech with attention. It was made after I left Yorkshire, when there was no possibility of my replying to it there, and I did not scan every word as I might otherwise have done. But now that the statement has been alluded to in the House, and as I see by the papers this morning that the right hon. Gentleman seems still to adhere to the statement, I think it due, both to my late Colleagues and myself, to say that the right hon. Gentleman has been absolutely misinformed. The fact is, as I have already stated in the House, I was cognizant of the negotiation to which he doubtless alluded, although the time came when I felt I could no longer share any responsibility connected with it. I repeat what I said before as regards this negotiation, that I would not have referred to it if it had not been referred to by others; but, as it was referred to, I felt it my duty to state exactly what I believed to have occurred so far as I was connected with it. If the right hon. Gentleman were in his place, I should ask him to accept my assurance—and I ask the House to accept it—that it is entirely contrary to my belief that there was anything clandestine in the conduct of the Government.

Mr. GLADSTONE: Sir, I did not think that I had what may be called any legitimate *locus standi* yesterday when this matter arose; and, therefore, I remained silent after the explanation of the right hon. Gentleman. I now only rise for the purpose of saying, as my right hon. Friend was not in the House, that what happened was this. The right hon. Gentleman the Member for North Lincolnshire, in reference to something that had fallen from me in a former speech, expressed his desire to explain something or anything he had said, or to justify anything he might have said, in the course of the Yorkshire election. He produced a considerable number of speeches, apparently cut from newspapers; and he was not aware exactly of what passage he was called upon to sustain and justify. It was under these circumstances, I said, if it was convenient to the right hon. Gentleman—as I had the passage here to which reference had been made—that I would read it. He desired that I should do so, and it was upon that I rose and read the passage brought particularly to my attention. I am much obliged to my right hon. Friend (Mr. W. E. Forster). I regret very much that the right hon. Gentleman (Mr. J. Lowther) is not here; and, as the matter may be referred to hereafter, I shall not allude to it at greater length now. But, as I have been obliged to say this word, I will merely mention that there is a difference between my right hon. Friend the Member for Bradford and myself. He used the word "negotiation" in connection with certain transactions—a very important word. Of course, there is this great difference between us and him—that we should be compelled to deny, and deny entirely, that the word which my right hon. Friend has used is applicable to what took place.

Mr. CHAPLIN: Sir, I have just this moment received a communication from the right hon. Gentleman the Member for North Lincolnshire, and perhaps the House will allow me to remind them of the cause of his absence on this occasion. In the first place, I assume that he has not received the Notice in time from the right hon. Gentleman. In the second place, I may mention he is steward of the Jockey Club, and therefore steward of Epsom, where, upon the Derby Day, I presume, he is attending to his duties. The House will remember that my right hon. Friend said last night that if the Prime Minister was able to show him that the communications in question, both upon paper or oral, did not bear the interpretation placed on them he should be ready to withdraw them. After the statement of the right hon. Gentleman the late Chief Secretary for Ireland, I am quite unable to say what interpretation my right hon. Friend would place upon them; but as to the word "negotiations," I think—[*Cries of* "Order, order!"] If I have the permission of the House, I would like to say, in regard to the word "negotiations"—["Order, order!"]——

MR. SPEAKER: I think that the hon. Member must feel himself that, in the absence of the right hon. Gentleman the Member for North Lincolnshire, it is not desirable to pursue this matter further.

MR. CHAPLIN: I will not refer to the matter further, Sir.

QUESTIONS.

CRIME (IRELAND)—RETURN OF TRIALS FOR TREASON AND TREASON-FELONY.

MR. BIGGAR (for Mr. HEALY) asked the Chief Secretary to the Lord Lieutenant of Ireland, How many trials there have been for treason and treason felony in the last ten years in Ireland; how many convictions, disagreements, and acquittals; and, if he will give the same information for the last twelve months as to the other classes of crime which it is proposed to make triable by judges under the new Coercion Act?

MR. TREVELYAN: Sir, Returns have been called for from all the Crown Solicitors in Ireland, and yesterday nine of these Returns were wanting. To-day, however, only one was wanting. If the hon. Member will repeat the Question to-morrow, I expect to be able to give him the information he asks for; and, in case that Return has not come in, I will tell him so then.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881 — MR. WILLIAM FENIX AND MR. THOMAS BRENNAN.

MR. BIGGAR (for Mr. HEALY) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. William Fenix has been confined in Clonmel Gaol since the 28th November last; whether the district where he comes from, Causeway, county Kerry, is now peaceable; and, if he can see his way to recommend his discharge?

MR. TREVELYAN: Sir, Mr. William Fenix has been discharged.

MR. BIGGAR (for Mr. HEALY) asked the Chief Secretary to the Lord Lieutenant of Ireland, What decision has been come to as to the detention of Mr. Thomas Brennan, secretary to the Land League, now twelve months in gaol?

MR. TREVELYAN: Sir, within the past week His Excellency has inquired into Mr. Brennan's case, and decided that he could not at present order his release.

PARLIAMENT—PUBLIC BUSINESS—THE WHITSUNTIDE RECESS.

SIR STAFFORD NORTHCOTE: Perhaps the right hon. Gentleman the Prime Minister can now state what are the prospects with reference to the Whitsuntide Holidays?

MR. GLADSTONE: I do not wonder, Sir, at the Question of the right hon. Gentleman; but I would ask the indulgence of the House a little longer. I will endeavour to form the best judgment I can, and make a statement on the subject to-morrow.

ORDERS OF THE DAY.

PREVENTION OF CRIME (IRELAND) BILL.—[BILL 157.]

(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. ADJOURNED DEBATE.

[SECOND NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [23rd May], "That Mr. Speaker do now leave the Chair."

And which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "while this House is desirous of aiding Her Majesty's Government in any measures which they can show to be necessary to adopt for preventing, detecting, and punishing crime, it disapproves of restrictions being imposed on the free expression of public opinion in Ireland,"—(*Mr. Joseph Cowen,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

MR. DILLON said, he had placed upon the Notice Paper the following Amendment, which the Forms of the House did not permit him to move:—

"That the provisions of this Bill are mainly aimed, not at crime, but at political agitation,

> and if passed into law will render impossible any public combination for protecting the rights of labour in Ireland, and are consequently calculated to drive the oppressed poor in Ireland into secret combination and into crime."

Although unable to move this Amendment, he had read it to place on record his view of the probable effect of this measure if it should become law. Approaching the subject from that point of view, he would feel bound to refer at some length to the view which the House supposed was held by hon. Members connected with the Land League as to the probable effect of the Arrears Bill on the condition of Ireland. The statements which he had made in private conversations, and which were acquiesced in by his friends, as to the circumstances under which they had reason to hope outrages could be stopped in Ireland, had not been placed before the House clearly. The view which he had stated was briefly this—that if the Government should announce in the House their intention to have done with coercion, and, at the same time, to pass a measure similar in character to the Bill introduced by the hon. Member for New Ross (Mr. Redmond), he believed such a condition of things would then be brought about in Ireland as would give them every reason to hope that they could conduct the agrarian movement within the law to a satisfactory conclusion, without violence, without discord of any kind. He never for one moment, either in private or in public, and, as far as he was aware, none of his Friends, had ever represented that the passing of an Arrears Bill would be a settlement of the Land Question. What he did say was, that the Bill introduced by the Irish Members, prominent in which was a clause dealing with arrears, together with a binding announcement on the part of the Government—and this was essential—that they would definitely abandon the policy of coercion, would place them in a position in which they could confidently say that in a few months their country would return to peace, and that outrage would entirely disappear. He looked forward, as every man of common sense looked, to a settlement of this question, which would be gradual, extending over three, four, or five years; and he told the House once for all that any man who stated to the House or to the English people that the Irish Land Question was going to be settled short of several years was either speaking in ignorance of the situation or was wilfully deceiving the House. A social question of this kind, if settled in five years, would have been settled rapidly. If the two things he had named were done by the Government, he anticipated this revolution, or evolution, in Irish politics would go forward peaceably, and without further demand on the time of that House, because under the Arrears of Rent Bill, and the withdrawal of all coercion, they would be able to tell the Irish peasant that he was safe from eviction; and he thought he saw in the proposed Motion of the right hon. Member for Westminster (Mr. W. H. Smith) a path along which the Irish peasantry and people might travel peaceably, because protected from eviction, free from outrage, because permitted to remain in their houses, and having the prospect that they would obtain a just and reasonable settlement from the landlords, who might then be expected to be in a reasonable state of mind when they had heard definitely from the Government that no more coercion would be passed to assist them. That was all he said in those private conversations. It was well known that all the members of the Land League were anxious, and had given proof of their anxiety, to conduct the land movement without outrage. That statement he was prepared, if necessary, to substantiate. But he never consented, and he never would consent, to state in that House that he or any other man, be he one of Her Majesty's Ministers, or be he even Mr. Michael Davitt, who had the hearts of the Irish people on his side, could put down outrage in Ireland as long as evictions prevailed. He had always endeavoured to be honest with the House. He had told them that as long as they maintained a law which placed the lives of the peasants at the mercy of the landlords, and left the tenants no tenure except the landlords' forbearance, he could not tell them outrage would cease in Ireland; and, under the circumstances, he had refused to go to Ireland and place himself on the side of the landlords by denouncing outrages. But he had done what he believed to be much more effective for the prevention of outrage—he had from numberless platforms endeavoured to wean the people from outrage. He had never denounced outrage, and never would, until Parliament denounced evictions. But he had endeavoured to point out to the people that their own interests, both as regarded their good name before the world, which had now been sadly blotted by their enemies, and the protection of their rights and the future welfare of their country, distinctly lay in putting a stop to outrage; and he had endeavoured to point out to them that a weapon lay near their hands which could take the place of outrage. That was a point which raised a question of considerable interest. One means which he relied on to prevent murder in Ireland and to alter the character of agrarian agitation was this—that he thought he saw in open public combination acting by somewhat rough methods, but not by such methods as shooting men in the legs, nor by maiming animals, nor by violent outrages, nor by night attacks on dwellings, but by that practice which had been called "Boycotting"—a practice which the Government had denounced as intimidation, but which, he was not ashamed to say, he had openly advocated in Ireland. In this he thought he saw a means by which he could convince the people that they could protect their rights more effectually than by murder and incendiarism, and other processes familiar in the history of Ireland. In any country when injustice was sought to be enforced, be it among the peasantry of Russia or of America, they would have outrage unless they could say to the people—"Here are other means by which you can protect your just rights." Some people appeared to suppose that agrarian crimes were peculiar and exclusive to Ireland; but he wished to direct the attention of the House to the fact that the same system of agrarian crime burst out in any other country where the same oppression was practised upon the people. In an interesting work on the peasantry of Russia, he read, a short time ago, a description of the means by which that peasantry sought to protect themselves against the tyranny of their masters, and they were the means with which the people in Ireland were so familiar. Turning to free America, he remembered the notable occasion, 30 years ago, when within 100 miles of the City of New York an attempt was made to enforce the Land Law in a form repugnant to the people. The rents were exceedingly moderate, but the farmers got it into their heads that they should not pay any rents. What means did they adopt in their defence? They, in a free country, where there were no foreign troops to support a law not made by themselves, entered into a combination. They shot bailiffs; they murdered, in full daylight, the Sheriffs of the United States. That war went on for three years, and it was only ended by the Legislature of that State interfering and purchasing out the landlords. He did not say the peasantry in that State were justified in the means they employed—they had not anything like the justification of the Irish tenants. Those men disguised themselves as Red Indians, as Mohawks, and others, and roamed about the country committing outrages, and created a state of things over which the law could not prevail. He mentioned this to show that wherever the population of a country was convinced that the law was doing injustice there would be a combination to defeat the law, a combination to protect what the people believed to be their rights, a combination which, if they would not allow it to work by open means, would inevitably work by secret means. The choice they had was solely between secret combination, which was carried on by murder, by house-burning, and by maiming, in Ireland, and open agitation, which they had prevented the Land League from adopting, with what results they had observed during the last 12 months. He recollected having been greatly laughed at in that House when he stated on one occasion that agrarian outrage was an unfortunate legacy in the history of Ireland; and it was said that it was the strange offspring of the Land League. But the truth was, as anybody who had read Irish history knew, that agrarian outrage had never been absent from the country. For the last 150 years agrarian outrage had continued, but varying in intensity and ferocity, exactly as the times were prosperous or bad. It had no reference whatever to the passage of coercion, although they had plenty of that; but it had a striking reference to the rise of agricultural prices, or their depression. He did not want to go fully into this question. To do so would occupy the remainder of this Sitting, and leave him in possession of the House when it next met. He only wished to point out the absurdity of any man talking as if agrarian crime were now a novelty in Ireland. It was well known that in the county which he had the honour of being called on to represent, the Whiteboy Associations, for three years, settled what should be the rent of each farm, and no landlord could let a farm without the assent of the Whiteboys. That combination broke down, not in the face of coercion, for it had defied for three years the most brutal measures of coercion. It broke down in the face of returning and increasing agricultural prosperity. Then they had the case of the famous Galway cattle houghers. For a long time the people of Galway and Clare had been driven out of their holdings, which were turned into grazing tracts. A savage spirit had been smouldering in the minds of the people; and Mr. Froude, in his *English in Ireland during the Eighteenth Century*, stated that in one night the population rose, and 10,000 or 20,000 head of cattle were left lying dead on the plains of Galway. The result, he said, was that the cattle graziers retired beyond the Shannon, and soon left the people in peace. He mentioned these cases to point out that if any statesman wished to deal with the evils of a country, to remedy disaffection, and to remove disorder, his first duty was to understand the causes of that disorder. There were men in that House who believed that the disorder, the mutilations, the outrages, the atrocious outrages of recent months, which were far worse than any that occurred before the suppression of the Land League, because no man was then shot in the legs, and none of the beastly outrages of recent months were committed then, that all these things were done by the Irish from badness of nature. That condition of mind utterly unfitted its possessor for approaching this question. The Irish people had been in a certain sense—he hoped he would not offend the Irish people by saying it—demoralized by the lesson taught them from the days of Berkeley and Swift, and the Rapparees; taught invariably by the English Government, that no right would be given them, that no protection existed for the poor man, except the protection of the Rapparee and the Rockite and the Whiteboy. On one occasion when they submitted peaceably and lay down to starve, the English Government taught them they could quietly look on while 2,000,000 people were swept away. If the Irish people had been under the banner of "Captain Moonlight" in 1847 there would have been a different story to tell. When that lesson had entered into the midst of a people coercion was as ineffectual against them as buckshot pellets would be against a fortress. This lesson had been taught during the tithe war, when the Lord Chancellor said he would make the blood of the Irish people flow rather than permit them not to pay the tithes. The people resisted and won their point. The latest illustration of that lesson was when the late Chief Secretary for Ireland, after the Compensation for Disturbance Bill was thrown out, stated that if the Government found the landlords were to any extent making use of their powers so as to force the Government to support them in the exercise of injustice in Ireland, the Government should accompany any request they might be obliged to make to Parliament for further powers with a Bill to relieve them from the necessity of supporting injustice. In that sentence was contained the fatal admission that the Irish landlord, without going outside the law, could commit injustice. The Chief Secretary also intimated substantially that unless there was disorder in Ireland during the autumn Parliament would not be called together, and nothing would be done. To that statement he attributed a vast deal of the disorder which had since taken place. Crime and evictions had a relation with each other—outrages were committed by the people as a means of protection against eviction. Where the people were in dread of eviction these outrages were committed, and the murder of a man who was negotiating for a farm about to be vacant was often the means of putting a stop to evictions. But for the outrages evictions would have been ten times more numerous in Connaught and Munster. If the Government could succeed—which they would not—in putting down outrages tomorrow by that horrible Coercion Bill, and in reducing the people to a condition of absolute quiet, evictions would be multiplied to such an extent, even in spite of the Arrears Bill, that the House would be called upon, from mere shame, to interfere. The Arrears Bill was nothing more nor less than a gift to the Irish landlords, and a way for the Government to escape from the horrible imbroglio into which they had got themselves by neglecting the advice of the men who, by their own admission, represented the feelings of the mass of the Irish people. The English Government had supported the Irish landlords in the oppression and extortion they practised on the people; and now their friends—their somewhat expensive friends, he might call them—insisted that they must reward their fidelity to the English interest in Ireland by paying off some of the debts which, but for them, they could never recover. It was all owing to the interference of England that they had to pay that money to the Irish landlords. Let the experiment be tried of leaving the landlords face to face with the people, and of allowing Irishmen to settle matters for themselves just for one year, and they would come back and show them that the Arrears Question had been settled without a penny expense to the English Exchequer. The landlords in Ireland, according to their lights—he did not now stop to inquire whether they were true or false lights—had served English interests; and if Englishmen, in their generosity, were determined to stand by those men he had no objection to their relieving their necessities. Those necessities were, no doubt, in many cases, great, often affecting innocent women and children. But he protested against the arrears proposal of the Government being described, in any sense, as a gift to the Irish tenant. It was a gift to the Irish landlord; it was a penalty brought upon England because she had supported a system of iniquity, carried out at an enormous cost; and now that the instruments of that iniquity had got to the bottom of their resources, they were to have a gift. In the interest of peace, and in the hope of getting rid of those abominable outrages, as Englishmen had insisted on employing armed police and troops to enforce the unjust rights of the Irish landlords, he did not object to their paying a portion of the cost themselves. The hon. and learned Member for Mayo (Mr. O'Connor Power), the previous evening, denounced the doctrine of "Boycotting" as brutal and immoral. It ill became the hon. and learned Member for Mayo to denounce as brutal and abominable a doctrine which had kept the roof-tree over the heads of hundreds of poor families in the county he represented. He (Mr. Dillon) was prepared to resign his seat to-morrow, and he challenged the hon. and learned Member for Mayo to do the same, and he would go before the electors of Mayo with the hon. and learned Member, making their appeal on the question whether "Boycotting" was brutal and immoral, or not. He offered that challenge in all honesty and fairness, and he was perfectly ready to abide by the decision of the Mayo electors. He had always told the people of Ireland that the doctrine of "Boycotting" was the lesser of two evils. Were he an Englishman, living in a free country, there was no man who would denounce "Boycotting" more earnestly than he would; but the doctrine of "Boycotting" was an evil forced upon an unwilling people by the refusal of the Government to give them protection. He told the Irish people that, as the Government had refused to protect them, they had nothing left but to protect themselves. He did not recommend them to use violence. He only said there was no method of protection open to them but that of "Boycotting." Had they ever heard of Lynch Law? He supposed, from its name, that it was started by an Irishman. If they had lived in mining camps in California or Australia they would have been glad of the protection of Lynch Law rather than to be at the mercy of every ruffian. As he said, "Boycotting" was the lesser of two evils; and if he saw the people of his country driven out upon the highway to starve, he preferred to advocate the system of "Boycotting" as a means of protecting them, than to see introduced the methods of "Captain Moonlight" or "Captain Rock." He had had the pleasure of hearing for the first time in that House a speech from the Solicitor General for Ireland last night, and he regretted that he could not congratulate the Government on either of their Law Officers. The speech of the hon. and learned Gentleman, though marked by considerable eloquence and force, reminded him strongly of the jury-box. It was characterized by excessive enthusiasm and excessive zeal; but he would submit to the House that the Bill they were now discussing was not one on which any Irishman ought to exhibit enthusiasm, no matter what his views might be. If any Irishman believed honestly that the Bill was necessary, he should be ashamed of the position which his country held as requiring it, rather than anxious to display his enthusiasm and zeal. But the hon. and learned Gentleman's zeal was so great, and his enthusiasm so tremendous, that they had carried him away into demonstrating, to his own satisfaction, no doubt, that that Bill would be equally good for England, Scotland, France, or any other country under the sun as for Ireland. In the beginning of his speech a sentence occurred which he had often heard before, and notably as having been used in the Guildhall of London on an occasion which was a disgrace to Englishmen living in that City. "In the present circumstances," said the Solicitor General for Ireland, "it was obvious that the law must assert itself, or disorder must prevail;" but within the past 18 months the law had upon eight or ten different occasions ferociously and furiously asserted itself in Ireland; and the result had always been that things were much worse after than before. It first asserted itself when he was arrested—when outrages increased tremendously in Ireland—and it next asserted itself brutally and furiously in Dublin, in the month of October, when the streets of the city were like a battlefield, and when, in the opinion of moderate men unconnected with politics, an attempt was made to provoke an insurrection on the peaceable citizens. But that did not matter much, because, like the eel which was said to be accustomed to skinning, the people of Ireland had become hardened to those declarations that the law must assert itself. They all knew the sad experience of the past eight months; and he ventured to say that the cause was very far absent from the tremendous denunciations of the Solicitor General for Ireland. The next part of the speech which attracted his attention was that which announced that the Government thought the Bill was not strong enough, and that they were to have an unlimited system of packing juries and a change of venue. He wished to state distinctly for himself that he should prefer, if he had to choose between jury packing and change of venue and a trial by three Judges, he would infinitely prefer the latter tribunal, because out of three Judges there would be a chance of getting one fair, and that one would save him from condemnation. He should like to know what chance he would have before a Belfast jury, or before any other jury packed in the North of Ireland? Why, they would dispense with the evidence altogether, as the Attorney General for Ireland well knew, and convict him at once. In the City of Dublin a large class of persons had frequently expressed a desire that he and seven or eight other Irish Members should be summarily hung. He had heard it from friends who were at the table when the proposal was made. The Solicitor General for Ireland next proceeded to make an extraordinary attack on the Press of Ireland; but, when questioned, he was obliged to admit that the organ he was quoting from was one of an extraordinary character belonging to O'Donovan Rossa. He begged to assure the House that Mr. O'Donovan Rossa had no influence in Ireland. He had the best of influence amongst a very narrow class; but they were utterly insignificant, except in their desperation. He knew Mr. O'Donovan Rossa and his friends, and if the British Government had nothing else to contend against in Ireland they would find their task very easy. Of course, O'Donovan Rossa endeavoured to increase his income by making furious attacks in the *United Irishman*, which, by the way, was always in a state of bankruptcy, and was only kept alive by denunciations in that House; but what responsibility could the people of Ireland have for O'Donovan Rossa's organ? The Solicitor General for Ireland, while indulging in vague generalities about the Irish papers, did not quote one single sentence from an Irish newspaper to justify his denunciation. One of the accusations he made against the organ which was connected with the Land League in Ireland was that it re-published a certain statement from O'Donovan Rossa's newspaper. He (Mr. Dillon) never saw O'Donovan Rossa's newspaper, and his information about that organ was taken almost exclusively from *The Daily Express*, of Dublin, which reproduced its most spicy articles every week for the benefit of the Tories of Ireland. What would the people of England say to the Solicitor General's dictum that "the liberties of the Press were best secured by the discretion of the responsible Executive?" From the Press of London he could make extracts which would justify the most stringent Coercion Act ever invented—extracts justifying assassination, and referring in the most insulting terms to the Royal Family in connection with Prince Leopold's marriage. The truth was that the Press of Ireland was so much subdued already by the fear of prosecution that it dared not assert itself like some sections of the English Press of which the law took no notice. Then, with respect to public meetings, as with respect to the Press, the hon. and learned Gentleman said the vital necessities of society required that they should be held in check. Those were words which, he believed, the Radicals of England had often heard before the Reform Bill. The "vital interests of society," interpreted into plain English, only meant that the privileges of the landed aristocracy absolutely required the extinction of the Press, and the suppression of public meetings, in order to secure them undisturbed and unimpaired. Another extraordinary statement of the Solicitor General for Ireland was that American agents were engaged in every town in Ireland organizing mischief. If that were true, the best thing Englishmen could do would be to take the advice the Prime Minister once gave to the Turks in Bulgaria, and clear out of Ireland "bag and baggage." The Solicitor General for Ireland further deplored the scandal to their jurisprudence of having no power to compel persons who witnessed murders to come forward and give evidence. It was easy to imagine a power to compel persons to come forward; but how could they make them give evidence? Was the hon. and learned Gentleman to go back to the rack and pitch cap, which were in use in Ireland formerly, in order to force people to disclose what they knew? He rarely heard such an extraordinary piece of ignorance of the Irish character, or such an attempt to hood-wink the House. The hon. and learned Gentleman launched into a tremendous burst of enthusiasm over the subject of the blood tax. They were perfectly familiar with the blood tax in Ireland. It had been tried in that country as well as in many others, and anyone who read the history of its operation could not convince himself that it stopped a single murder. The men who would have to pay the blood tax were not the men who would commit the murder. If it were true that there was an extensive system of terrorism, as the Government believed, did it not occur to them that the Irish peasant would prefer to pay the blood tax than to risk his life? The blood tax might make the Irish peasant sorry for the murder, unless he obtained some advantage from it; but he failed to see how it would induce him to risk his own life in order to avoid the payment of a small sum. The only effect of the blood-tax would be to further impoverish the country, and to plant more deeply in the minds of the people the belief that they were to get no justice at all. Taking the case of the recent Phœnix Park murders, for instance, upon whom would the blood tax fall? Upon the very people who were most anxious to assist the police in discovering the assassins; and the probable effect would be to engender resentment in their minds, and make them hold aloof from the search. They had been told, over and over again, by the Government that the persons who committed these outrages were strangers in the district. By this Bill they proposed to impose an enormous tax on the people for crimes which, according to themselves, had been committed by hired assassins. The proposal was so unreasonable that he felt it difficult to understand why it was advocated by Irish landlords, except they wished to break down the spirit of the people. The Solicitor General for Ireland mentioned that the infamous Major Sirr preserved his life by putting his name into the leases of all the tenants of Tipperary. That was, undoubtedly, a very ingenious method, and he hoped the Solicitor General for Ireland would recommend it to all the Irish landlords. He believed the effect of this Bill would be to make the people more opposed to the law, and to promote secret combinations to defeat its provisions. But it would also have an effect upon the landlords of Ireland. The only policy which gave any promise of peace in Ireland was the abandonment of coercion. The landlords of Ireland had reached that stage that they were anxious to part with their land on reasonable terms to the tenants. He had always said that until that moment arrived there was no hope of a settlement. But the new Coercion Act instantly changed the minds of the Irish landlords. They no longer intended to part with their land on reasonable terms, and had abandoned the Motion of the right hon. Gentleman (Mr. W. H. Smith), which was brought forward with that intention. They did not intend to part with their land now; and if they did, they intended to use the Coercion

Act in order to compel the tenants to pay four or five years' purchase more for it. If the Government abandoned coercion they would have taken 20 or 22 years' purchase; but now they would ask 26 or 27. They knew perfectly well that if they could, by means of the Coercion Act, break up the combination of the tenants, and deal with them individually, they would bully them into paying far more than the value for the land. What was to be the result of all this? He did not suppose the House would take the slightest notice of what he said; but that would come to pass, nevertheless. The tenantry would not buy, because the proposals which would be made to them would be of such a character that the Land League could not advise them to buy. The land war would therefore go on smouldering, with occasional horrible outrages and secret combinations, until this Bill expired; then the Land League would spring up again, and the Government would be face to face with an Irish land movement greater than they had to deal with two years ago. If, on the other hand, the Government had abandoned coercion, he was convinced that the Irish Land Question would have been settled—not this year, and not next year—but within the next five years in a peaceable way, and Englishmen would no longer be troubled with it in that House. The Irish landlords had begun to realize the situation. They would have seen what they were now beginning to forget, that when the next land movement came they would be glad to take 10 years' purchase instead of 20. He was aware that in Ireland he was denounced by men as a heretic, because he said any number of years' purchase at all; and he warned the House that these were becoming the men of the future. If the Irish landlords brought back upon the necks of the people another and infamous Coercion Act; if they had to pass through a horrible period of outrage in Ireland, when "Captain Moonlight" would take the place of the Land League in spite of their Coercion Acts; if the loyalty of the people was entirely turned to him and away from the Land League, then the moment the right of public meeting was given back to the people the Government would have to face a much more advanced platform than the platform of the Land League, and the Irish landlords would awaken to a real sense of their position. The House might depend upon it that the Irish peasantry would make their voices heard in the Legislature, and the English Government would become convinced of the folly of ranging their power on the side of a small and insignificant knot of aristocracy, while they left the Representatives of Ireland, who were independent Nationalists, to stand with the masses of their people, who must in the end prevail.

Mr. GLADSTONE: Sir, I think the House will feel—at least, that portion of the House who listened to the early part of the speech we have just heard—that it ought not to be allowed to pass without some immediate notice from the Government. I do not intend to reply to that speech in the spirit of anger. Anger it might excite in some minds—other and stronger and more durable emotions must be excited in the minds of those who are responsible for the peace of this country, and whose dearest desire it is to establish harmony between England and Ireland. Still, I will use the severest epithet that I mean to employ; and I tell the hon. Gentleman that to every man—with the exception of the group to which he belongs—to every man who desires to see harmony between England and Ireland, the speech he has just delivered is a heartbreaking speech. I do not expect that that representation will have the slightest effect upon the steeled feelings of the hon. Member; but I think it may have an effect upon some minds. There are those in this House who may have sympathized to a great extent with the hon. Gentleman, but who are not prepared to go the fearful lengths he has this day described. In one respect I thank the hon. Member for that portion of his speech. It tends, at least, to the attainment of one great public object—that is to say, to clearing the issue which is raised between the Government and between all law-abiding men on one side, and the hon. Member on the other. What has been told us—deliberately and even coldly told us by the hon. Gentleman, with perfect self-possession, not in the heat of debate, having well prepared the sentiments he was about to deliver—what are the propositions which, with almost mathematical rigour, he has laid down to-day? He begins by saying that he will refuse to denounce outrage as long as we refuse to denounce eviction. [Mr. BIGGAR: Hear, hear?] Now, let us see what is the meaning of that proposition. I do not wish to speak in heat. I will not be driven to the expression of passionate or extreme opinion.

Mr. DILLON: It is only just to me that the right hon. Gentleman should give the context of my observations. I said I had endeavoured to wean the people from outrage.

Mr. GLADSTONE: I am very glad the hon. Member should give whatever explanation he thinks fit. I should have referred, without his interposition, in a few moments to what he has just said. I stand, however, upon my declaration —it is a correct declaration. Now, what does it mean? I am not here to express extreme opinions against the hon. Member, though, perhaps, he may have done something to provoke them. Eviction is the exercise of an undoubted legal right, which may be to the prejudice of your neighbour, which may involve the very highest moral responsibility—nay, even deep moral guilt upon the person exercising it. There may be outrages, all things considered—the persons and the facts—that may be less guilty in the sight of God than evictions. That I do not deny; but there may be evictions which are the last, the extreme, the inevitable remedy for the establishment of those legal rights on which the existence of society depends—against the man who deliberately and insolently and wilfully denies them, the man who audaciously refuses to fulfil his contract —the most equitable contract in the world—a contract under the judicial rents recently established, with money in his pocket, perhaps loaded with benefits from the man whom he defies. And in the case where the possessor of property, after exhausting every means of conciliation, is driven to make use of the powers of the law for the establishment of legal right, and perhaps to support himself and family, that man is placed, by the deliberate declaration of the hon. Gentleman, upon the footing of a perpetrator of outrage; and we are called upon to denounce evictions with the same sense, and even with the same unlimited scope, as we are allowed to denounce outrage. Upon these conditions it is that the hon. Gentleman will proceed to Ireland to denounce outrages. I have not exaggerated a word. I would not for a world exaggerate a word. The fact is that what has been said by the hon. Member does not require exaggeration. I will almost say it does not admit of exaggeration. But that these declarations should be made on behalf of the people of Ireland—that they should be made in the name of liberty in this great temple of liberty—[Mr. Biggar: Oh, oh!]—and the scoffing of the hon. Member for Cavan consummates a state of affairs which is among the gravest and the most grievous facts which can carry sorrow to the depth of my heart, or rejoicing and mockery to the heart of the hon. Member for Cavan. The hon. Member for Tipperary (Mr. Dillon) says he has endeavoured to wean the people from outrage, and he goes on to tell us from what it is that he endeavours to wean the people. He endeavours to wean the people from what he terms outrages; but he takes care that we shall not misunderstand him. The hon. Gentleman is perfectly ingenuous. He does not mean by outrage the perpetration of illegal acts. He conceives that the safe and the wise course which he, as a friend of liberty, recommends is, to draw a deliberate and advised distinction, and to found the policy upon a distinction between one kind of illegality and another. There is one kind of illegality which, though he will not denounce it except on the condition I have described, yet he will try to wean the people from, and that is what he terms violent outrage—murder, for example. That, evidently, the hon. Gentleman will not denounce—oh, no; he will not denounce it. The view he takes of murder may be judged of, perhaps, from another passage of his speech which I noticed incidentally, and took down when the hon. Gentleman was speaking on what he called the blood tax, and showing how useful the blood tax would be. With great *naïveté* he let fall a sentence which opened to us the interior of his heart; and the sentence was this. He said—

> "What will a mere blood tax do? It is quite useless. It may make the Irish peasant sorry for the murder unless he obtains the advantage of it."

That sentence I quote faithfully from his speech; and it really wants nothing to complete the scene and the testimony except the usual mocking cheer of the hon. Member for Cavan (Mr. Biggar). Well, as to the distinction between one kind of outrage and another, murder is not to be denounced unless eviction—including such eviction as I have described—is to be denounced also. And the people are to be weaned from murder by such a process! But what does the hon. Member consider the kind of outrage which is not to be denounced, and from which the people are not to be weaned; but upon which, on the contrary, the policy towards Ireland is to be founded? The process called "Boycotting" is, according to the hon. Member, a legitimate and proper process. What is meant by "Boycotting?" In the first place, it is combined intimidation. In the second place, it is combined intimidation made use of for the purpose of destroying the private liberty of choice by fear of ruin and starvation. In the third place, that being what "Boycotting" is in itself, we must look to this—that the creed of "Boycotting," like every other creed, requires a sanction; and the sanction of "Boycotting"—that which stands in the rear of "Boycotting, and by which alone "Boycotting" can in the long run be made thoroughly effective—is the murder which is not to be denounced. ["No!"]

Mr. DILLON: I have over and over again, as I stated to the House, defined what I meant by "Boycotting;" and if the right hon. Gentleman challenges me to the proof, I can bring passage after passage of my speeches in which I denounced outrage.

Mr. GLADSTONE: I have not in the least misrepresented the hon. Gentleman. What I have stated is in precise accordance with what he has said. By "Boycotting," he means nothing but merely ruining men who claim to exercise their private judgment in a direction opposite to his. That is all he means. What I say is this—that men who resort to illegality as a policy, a system, within certain limits, have no right to expect the observance of those limits by others. Others will not observe your very arbitrary limits; they do not rest on the sanction of law or on the traditions of society, but on the private judgment of the hon. Member; and the hon. Member, and everyone who is not a child, ought to know that those who advisedly recommend that absurdity and sanction that illegality are responsible for other illegalities.

Mr. DILLON: I have quoted the words of the right hon. Gentleman himself to the people of Ireland that "Boycotting" was not illegal; it was on that ground I went.

Mr. GLADSTONE: I am not aware how I ever could, and, as a matter of fact, I never did, make such a declaration—never.

Mr. DILLON: Yes; and in this House.

Mr. GLADSTONE: I have stated that there might be exclusive dealing between men. But that is a totally different thing; and, unless I am much mistaken, that declaration was made before "Boycotting" was heard of. [*Cries of* "No!"] At any rate, before that which is known as "Boycotting" was established in the way that has made it illegal. I may have said, and I say now, that I have a perfect right to deal with one man rather than another, and even to tell people that I am doing so; but that has nothing to do with combined intimidation exercised for the purpose of inflicting ruin and driving men to do what they do not want to do, and preventing them from doing what they have a right to do. That is illegal, and that is the illegality recommended by the hon. Gentleman; and it is plain that those who recommend and sanction such illegality are responsible for other illegalities, even though they do not directly sanction them. But the hon. Gentleman goes further, and shows very clearly what his meaning is, because he selects for denunciation even one upon his own Benches—the hon. and learned Member for Mayo (Mr. O'Connor Power). That hon. Member has committed himself to a most grievous and dangerous proposition—that is to say, he has stated that he will not stand outrage upon any terms; and he condemns and denounces the system of intimidation known as "Boycotting," which interferes with private liberty and threatens the infliction of ruin upon the exercise of private rights. Upon this declaration of the hon. and learned Member for Mayo, he is denounced by the hon. Member for Tipperary; he is threatened with the vengeance of his constituents; a sentence of political "Boycotting" is pronounced upon him. The hon. and learned Member for Mayo is a man who has gone great lengths in the assertion of Nationalism. I have heard him in many able and striking speches enforce the doctrine of Irish independence to a degree and with a scope in which few would be prepared to follow him. But the hon. Member, so far as I know from his Parliamentary career, has been distinguished for that which I now want to bring out into the face of day, and to impress upon the minds of men so that it cannot be mistaken. The hon. and learned Member for Mayo, while recommending Irish independence, has invariably confined himself within the limits of legality. And that is the difference between the hon. Gentleman opposite and ourselves. Our contention is this. Whatever the Irish people may have to desire—whatever they may rightly seek, or whatever they may erroneously seek—it is the bounden, the solemn, and the sacred duty of every man who belongs to them, of every man who represents them, to seek these objects by legal means. Now, let me be understood. What is, and what is not, the difference between us and the hon. Gentleman? He seemed to think that there had been some attempt to filch from him, on the part of the Government, or myself, the title which he thinks he possesses to pursue great further changes in the Land Laws of Ireland. I believe that great further changes in the Land Law of Ireland are unnecessary, and, therefore, would be unjust; but I do not deny the title of the hon. Gentleman, whether rightly or wrongly, to pursue what further changes he likes in the Land Law of Ireland, or in the political law of Ireland, or in the relations of Ireland to England. I am afraid of none of these questions, if you will keep them within the bounds of legality—if you will make your appeal to reason, if you will respect private judgment, if you will grant to every subject of the Queen the liberty that you claim for yourself, and exercise as well as claim. There is the secret of safety. There is the dividing line. I am never afraid of violent or extreme opinions, because I know that, if brought to the test of argument and reason, they will be reduced within the limits of justice and of safety, and that they will issue in some good result. But the hon. Gentleman comes here as the apostle of a different creed. He comes here as the apostle of a creed which is a creed of force, which is a creed of oppression, which is a creed of the destruction of all liberty, and of the erection of a despotism against it, and on its ruins, different from every other despotism only in this—that it is more absolutely detached from all law, from all tradition, and from all restraint. The hon. Gentleman says that if Her Majesty's Government will abandon coercion, and if they will re-cast the Land Act, then the Land Question may be settled on the basis of legal agitation. There is the groundwork of the new treaty offered by the hon. Gentleman. What is the meaning of abandonment of coercion? It means no Bill of restraint of any kind, except what is now contained in the ordinary law, is to be introduced against any evil doers whatever in regard to Ireland. That is the first condition, and besides that, there is the complete re-casting, a fundamental re-casting as I understand it, of the Land Act of last year; and what is the reward? It is that the Land Question may be fought out on the basis of legal agitation now. I tell the hon. Gentleman that he has no right to pursue the land campaign upon any other basis than that of legal agitation, whether we conform to these conditions, or whether we do not.

MR. DILLON: The right hon. Gentleman must have misunderstood me. I said that we could then be in a position to assure the Government that murder, and all acts of violence and outrage, and all breaches of the law, would cease.

MR. GLADSTONE: I am glad to accept that explanation. I am bound to say that I think that is a change from what was proposed by the hon. Gentleman; but it does not qualify anything I have previously had occasion to say. And now I turn to a very different matter—I turn for a few moments to the speech of my hon. and learned Friend the Member for Dundalk (Mr. Charles Russell). Although that speech was a severe and trenchant criticism of the Bill for which I am responsible, yet I need not say that I recognize, in the first place, the great ability of my hon. and learned Friend; and, in the second place, the Parliamentary and Constitutional spirit in which, while claiming full liberty of speech, he submits everything to the general judgment of the House, and only aims at attaining a common result by the best means we can contrive. In reference to that speech, I will say very little as to the details; but I will observe that my hon. and learned Friend, with great satisfaction, admitted that there are important clauses in this Bill with regard to strangers, with regard to search, and some other very important clauses, which my hon. and learned Friend expressed his distinct readiness, in principle, to entertain; but my hon. and learned Friend stated that he was not prepared, if I understood him rightly, to accede to the establishment of a special tribunal; and he gave, as a reason for that, that this special tribunal was condemned to inefficiency beforehand by the declaration of the Judges of Ireland. Sir, I join with him in all the expressions of respect for the Irish Judges which he used; but the resolution of the Judges of Ireland was a resolution as to the effect that, in their opinion, would be produced upon the feeling of the people of Ireland towards public justice should this special tribunal be instituted. But, Sir, that is not a matter on which the Judges of Ireland can speak judicially. That is really a political and not a judicial matter, and it is one upon which Parliament must exercise a supreme judgment; and the position of Parliament would be a ludicrous position, and it would be an unmanly abandonment of duty, provided we believe the institution of this tribunal to be necessary, and provided we see no other or better means of accomplishment, were we to recede from that intention because of the opinion which the Judges of Ireland may have, or a large portion of them might entertain, as to the social, moral, and political effects it might produce. It is not the business of Judges to measure or to be responsible for the social and moral effects of legislation. It is the business of the Legislature, and we must take upon ourselves that responsibility. That being so, what is the position of my hon. and learned Friend? He admitted that there were cases, and he did not say that they were few, in which the verdict of juries, in regard particularly to agrarian matters in Ireland, had been against the evidence. Our contention is this—we can make it in cold blood, and what I desire is that the House shall consider and dispose of it in cold blood—that that is an evil for which we ought to adopt a remedy if we can, and that a special tribunal, if it will do no more—we believe it will do much more—but if it will do no more than secure that in that number of cases, not apparently inconsiderable, verdicts shall be had, crime shall be punished, right shall be done where hitherto verdicts have not been had, where crime has hitherto not been punished, and where justice has not been done—that is an object which we may legitimately pursue, and let it be considered in Committee on the Bill whether it ought not to be pursued. My hon. and learned Friend has spoken on a variety of subjects, with regard to which I am not inclined to follow him in detail. Respecting the appeal from Resident Magistrates, that is a question which is still open; but the Government themselves, with the full concurrence of the Viceroy, are prepared to propose what they think a safe, but, at the same time, an important change. With respect to intimidation, that is a point which has been touched on by the hon. and learned Gentleman the Member for Mayo (Mr. O'Connor Power). I listened with perfect and entire respect to the remarks which he made upon it. The question of the definition of intimidation is, of course, a fair question for the Committee on the Bill; but this I am bound to say—that it would be inconsistent in us to provide that while the Bill should continue to strike at intimidation, it should not strike at incitement to intimidation. To this demand it is quite impossible to accede. In our opinion, not only is incitement to intimidation, especially if addressed to large masses, and with influence at its back, not only is it a thing to be included as well as intimidation, but it is a thing of far greater responsibility, and far greater legal and moral guilt than the mere execution of intimidation which has been inspired and suggested from higher quarters. As I have said, I do not think it is necessary for me to dwell further on the particulars of the Bill. What I do wish to accomplish is to make some kind of appeal to all such Members of the House, and especially to all persons inclined to object to this Bill—to make an appeal to such persons as may be inclined to listen. The hon. Gentleman the Member for Newcastle (Mr. Joseph Cowen) introduced his Motion last night in a very interesting—I own I think in a highly and perhaps unnecessarily rhetorical, but a very interesting and eloquent speech—and many more interesting and eloquent speeches of the same kind, I have no doubt, probably may be made upon the subject. But last week, when we were upon the second reading of the Bill, I with pleasure acknowledged the reasonableness of the disposition that had been shown on the part of the opponents of the Bill. I can perfectly understand their objections to the Bill from their point of view. I can understand their feeling the necessity, from their point of view, which is the opposite of ours, the necessity of delivering a most deliberate and determined protest against the Bill. Above all, I can understand their pursuing fair and detailed arguments, so far as they may find it necessary, against the several provisions of the Bill when we get into Committee. But, Sir, if I may judge from the speech I have just heard, and from the introductory speech in the debate from the hon. Member for Newcastle, it seems as if some Gentlemen were inclined—I do not know from deliberate purpose or not — were inclined to enter upon a great prolongation of this, and possibly of some other similar debates; and the question I put to them is this—Is there any conceivable good to be derived from such prolongation? Certainly, there is no such good to be derived from prolonged debates upon the general subjects of what I may call historical subjects of Irish policy. There is no good to be derived from them in the case of the great mass of Members in this House representing Ireland and representing Scotland, desirous, if they can, to do something on behalf of those two nations. There is no desire for prolongation on behalf of those Irish Members who think it necessary that a Bill of this kind should be passed; but ought there to be such a desire on the part of those Irish Members who object to the Bill? I do not suspect the hon. Gentleman who has just spoken, I assure you, of harbouring in his heart anything further than what he has disclosed to us to-day. But I must say, unless there be here persons whose deliberate desire it is to exasperate animosity between England and Ireland, I hold that they ought to concur with the Government in wishing to restrain these discussions within moderate limits. They can do nothing, Sir, but raise excited passion. Appeals were made to the Government to recede from this Bill; but those who make those appeals must know quite as well as the Government that an answer—an affirmative answer—to such appeals is totally impossible—impossible in principle, impossible in duty, impossible in conscience, impossible in fact, because a Government capable of introducing such a Bill, and of abandoning it, must, ought, and would, in a few days cease to be. Sir, I must humbly submit that we have very important Irish Business to transact outside the limits of this Bill. I must now ask for the abbreviation of its discussion in detail. Take, for example, the argument just delivered by the hon. Gentleman the Member for Tipperary on the Press of Ireland — a most legitimate argument, in my opinion, for him to make upon the question of the Press Clause; but he makes it now naturally without result, without attaining any practical purpose. I am not asking for the cutting short of the discussion on the clauses of this Bill; but I am beseeching and entreating hon. Members to consider for a moment whether any good is to be gained by the prolongation of debates on the historical aspects of Irish policy, and of the relations between the two countries. Surely, Sir, the fact of the dependence of the Arrears Bill, with which it is impossible for us to make further progress until we have despatched the stage we are now approaching in Committee on the Prevention of Crime Bill, ought to weigh on the minds of those who are opposed to the present Bill. Every one of them, I believe, without exception, wishes for the Arrears Bill—most of them wish very fervently for the Arrears Bill. The hon. Gentleman who has just sat down has said to us that if we would only leave it to him and those who are with him they would settle the Arrears Question. But then, Sir, he has indicated, in some faint degree, the manner in which it would be settled. The hon. Gentleman quotes the authority of Lynch Law, and he has some respect for Lynch Law. [Mr. DILLON: In California.] I entirely agree with him. I have a very considerable respect for Lynch Law. But I have always understood Lynch Law is the law which is allowed to prevail in a country where there is no other law whatever. There is this difference between the case of Lynch Law and no law; but I am averse to quote Lynch Law as an apology for introducing something very like Lynch Law into what, after all, is a civilized country with a legal system in part, and, I believe, in the main good, but, at any rate, capable of being directed to the best interests of society. Therefore, we cannot proceed in that way; and we must proceed with the measures before Parliament. It is admitted that thousands and tens of thousands of the very poorest and most destitute of the people of Ireland are dependent on the passing of that Arrears Bill for obtaining a hope of comfort and settled peace and tranquillity. The hon. Member for the City of Cork (Mr. Parnell) reminded us, with great appropriateness, I think yesterday, that every day the six months' equity of redemption is expiring for some of those persons. Now, I appeal to hon. Gentlemen who sit in that part of the House—I do not seek to limit the vehemence of their protests—I do not say a word against their discussing the Bill in detail in Committee; but, under these circumstances, is it right for them, or right for any of us, that we should needlessly prolong, by discussions essentially retrospective and historical, the stages of this Bill? I say, protest as you like. I say, condemn the Government as you please. Put no limits upon the undoubted political title you enjoy to canvass freely their conduct, and to pronounce upon it what sentence you wish; but do not, I beseech you, obstruct the passage of this Bill, or give a title to any other person to obstruct the passage of any other Bill which you yourselves regard as of vital importance to the country.

Mr. DAWSON said, he felt it necessary, on account of his connection with the City of Dublin, to say a few words on the part of his fellow-citizens with respect to the recent awful crime which had been perpetrated in the Phœnix Park. The universal spontaneous feeling was throughout Ireland one of horror and indignation; but it was especially so in the Metropolis of the country. He had had the privilege of knowing the late Lord Frederick Cavendish, and he had always been struck with the care and untiring energy with which he discharged his public duties, and the unvarying good temper and good humour which he displayed. The only thing that clouded the universal indignation felt for that terrible occurrence was the popular surprise and disappointment occasioned by the fruitless efforts of the expensive and useless executive in discovering the criminals. So ominous were the prophetic threatenings before the terrible tragedy occurred that the air of Dublin was filled with them. People seemed to know that something was going to happen. Within the precincts of the Castle itself it was said—"Wait a while; there is worse to come." These gloomy anticipations were very general, and mixed with fears for the public security. When the crime was perpetrated the people who had been disappointed at the course the Government were taking—people who had been disappointed, discredited, if not disgraced, and who had been cast down up to that moment—became after it jocular in their demeanour, if not triumphant in their conversation. It reminded him of the English Monarch who would not order the assassination of Thomas a 'Beckett, but said—"Who will rid me of this terrible priest?" In the same way there were men in Ireland who would not counsel revenge, but said—"Oh, the shadow is coming." He would now just say a word in defence of his hon. Friend the Member for Tipperary (Mr. Dillon). He did not think that the right hon. Gentleman the Prime Minister was fair to his hon. Friend. His hon. Friend had said that it was acknowledged by the right hon. Member for Bradford (Mr. W. E. Foster) that the existing law worked injustice, and his hon. Friend had said no more than that such injustice was an outrage, and that evictions for unfair rents were outrages. The right hon. Gentleman was scarcely ingenuous in his criticism of his hon. Friend's speech. The arguments of the Solicitor General for Ireland in favour of the Bill were flimsy and illusory. He (Mr. Dawson) asked the House to remember that the terms "law and order" had a widely different meaning in Ireland from what they had in England—law emanated from the Government, but order must come from the people; and if there were no connection between Government and people law and order could not be expected to flourish in a country. In England there was, but in Ireland there was not such a connection. He was connected not with agrarian interests, but with towns and municipalities; and he could tell the House that even if the agrarian question were settled, there would remain seeds of discontent in the towns owing to that divorce between the Government and the people of which he had spoken. When the recent terrible tragedy occurred, the very last person to be informed of it was the Chief Magistrate of the chief city in the country. Even the common constable received a notification of the occurrence before the Lord Mayor. That was the respect shown by the Castle authorities for the citizens and their representatives. The argument of the Solicitor General for Ireland on the new powers to be given to the Irish Judges derived from the trial of Election Petitions was baseless, because the change in that case was only from trial by one tribunal without a jury to another also without a jury, and bore no analogy to the subversion of the Constitution which was involved in the abolition of trial by jury in criminal cases. If the argument of the hon. and learned Gentleman the Solicitor General for Ireland was a good one in favour of the abolition of the jury system, juries should also be done away with in this country. The hon. and learned Gentleman had also made a suggestion which really meant that juries should be packed.

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER) said, he did not propose a plan of selection, but a higher rating qualification for jurors.

MR. DAWSON said, that amounted to precisely the same thing. He had himself seen in the Court in Dublin the official produce a roll with the jurors marked "good" and "bad," and proceed to call them according to his discretion, the good juror being the man of property, and the bad the poor man. But all this was no reason for dealing with the jury system in the sweeping manner proposed by the Act. Was it the hon. and learned Gentleman's intention to go back and sow the seeds of renewed distrust in the Government? He was astonished that the hon. and learned Gentleman, who was the pillar of the law in Ireland, should lay down such propositions. As regarded the Resident Magistrates, it seemed to him that the bureaucracy of the Castle were, if not ignorant of, at any rate ignoring the law. For what purpose were Resident Magistrates created in Ireland? That purpose seemed to have been forgotten, for a satrap under the Persian dominion could not be more powerful than were those magistrates now in Ireland. The Act of William IV. said that, owing to the disturbances which had taken place from the non-residence of magistrates, it was legal from time to time to appoint Resident Magistrates, and to dismiss or remove them. They were to be ordinary Justices of the Peace, whose duty it was only to sit on the Bench and adjudicate on the cases brought before them. It had never been intended that they should contract a close connection with the police, assume the duties of Crown prosecutor, or act under the domination of the paid officers of the Crown. But their functions now seemed to include police duties as well as those of Justices. The people of Ireland absolutely refused to have their liberties handed over to the mercy of those Resident Magistrates, who were, as a rule, men possessing no qualifications, but were of good position, and appointed simply on that account. Instead of being men of pronounced ability and highly qualified, they were men who had been unsuccessful in other professions, men of mean intellect, and so ignorant in many cases that they would not be able, under the system of competitive examinations, to fill the meanest office in the Civil Service. The Law Officers of the Crown, and, indeed, the whole Executive, had basely betrayed not only the interests of Ireland, but the interests of the Imperial Government. The people thoroughly distrusted these Resident Magistrates, and, indeed, the whole administration of justice. How could it be wondered that in such a condition of public feeling, individuals from the dregs of the population should find opportunity for forwarding their criminal projects? Men talked of assassins from America, but there were people in Ireland low and bad enough for any deed. The Bill contained three main proposals, all of which were calculated to create distrust. It proposed to hand over certain powers to the Judges, That was met with distrust on the part of the Judges. Then it proposed to give certain powers to Resident Magistrates. That created distrust on the part of the Irish people; and, thirdly, it proposed to refuse to allow trial by jury, and that showed the distrust that existed in the mind of the country as regarded the people of that country. Unless they were going to govern the country according to principles of justice, the sooner they gave up Ireland the better. The course which had been adopted with regard to the Irish Press had been one-sided in the extreme. If the Executive was going to put down newspapers for violence of language, why did they not prosecute *The Daily Express?* A member of the Dublin Corporation, a Conservative, ventured recently to express some sympathy with the tenants, and to condemn the landlords for absenteeism, while draining the country of its heart's blood. *The Daily Express*, under the nose of the Castle and the champion of the late Chief Secretary for Ireland, in referring to this speech, said—"Will a landlord deal with him?" and went on to recommend that he should be avoided, starved, and ruined. It was said that the system of "Boycotting" ought to be put down with a strong hand in Ireland; but when so much condemnation was lavished upon "Boycotting" it ought to be remembered that it was the Prime Minister himself who sowed the seeds of this system by his reference, long before the term "Boycotting" had been heard of, to the probability of exclusive dealing being resorted to. In his (Mr. Dawson's) opinion, that system was one of the most harmless and peaceable and legal that could be devised for counteracting the fierce land hunger that prevailed in that country? Those who adopted that system did not shoot men or mutilate beasts; but they let the offenders go their way, and would have nothing to do with them. It came ill from England to cry out against "Boycotting," because its whole social system, with its exclusiveness and its trades' unions, was founded upon it; it had been resorted to by the Anti-Corn Law League. [Mr. JOHN BRIGHT: No!] He (Mr. Dawson) would refer the right hon. Gentleman to the verses of Ebenezer Elliot, printed under its auspices, for proof of his assertion. The Land League had discouraged intimidation; it had confined its advice with regard to the treatment of land-grabbers to "have nothing to do with them." The same thing was done in the clubs of London. They "Boycotted" a man whom they did not like. The recent blackballing of candidates at the Reform Club was only a form of "Boycotting." He, however, had never been an advocate of "Boycotting;" all he had asked the House to do was to give a vote to the Irish people. By giving the artizans of England a vote, Parliament had provided a safety-valve for the feelings of the English people; but they sternly refused to provide it for Ireland. If it were possible for Parliament to deprive the lower classes in England of their vote we should soon have *carbonari* of our own in this country. In his opinion, the clauses of the Bill which gave the police power to arrest strangers would be useless and dangerous. Assassins could keep out of sight until their opportunity arrived, and then spring from the ground with the terrible instruments of diabolical crime. The only effects of the clause would be to bring this country into collision with the great Republic across the Atlantic, and to counteract all that he and others had done towards bringing about an industrial exhibition in Dublin. It would be a terrible degradation for this great Empire if it was forced to descend to the wretched Continental system of passports to enable strangers to visit a peaceful exhibition in the City of Dublin. This Bill would not restore peace. Only would they have peace in Ireland when the laws made by the people were observed by the people, because they were enforced with their consent; and until this occurred they would not have, and could not expect, law, order, and contentment in the land. On the whole, therefore, he must offer his strenuous opposition to the Bill.

MR. EDWARD CLARKE said, that no man could have listened to the speech of the Prime Minister that morning without understanding in some degree its deep passion and feeling. The speech of the hon. Member for Tipperary (Mr. Dillon), on the contrary, was pre-eminently sad, and one that must have been listened to with great sorrow. No wonder that it had inflicted great grief upon the Prime Minister, and that he had described it as heartbreaking. It was a strange and dire result of the incidents of the last fortnight. It threw a strange light upon what had taken place with regard to the arrangements as respected the liberations from Kilmainham, that directly that Bill was before the House the ill-omened alliance was absolutely broken up, and that the Government had only succeeded in deposing the late Leader of the Land League Party and placing in his stead a new Leader more resolute and more powerful than his Predecessor. It was not for the first time that the words, ill-considered as they were, of the Prime Minister came back to him, with an interpretation which was their legitimate and right interpretation—an interpretation which had been full of peril to Ireland. The Prime Minister, in his speech, denied that he had ever vindicated "Boycotting;" but the right hon. Gentleman admitted that he vindicated "exclusive dealing." "Exclusive dealing" were the words used by the Prime Minister; but what was exclusive dealing? It was "Boycotting." "Boycotting" was exclusive dealing organized. Just as the Prime Minister had spoken of evictions being so many sentences of death, and just as that had done great mischief all over Ireland, so he (Mr. Edward Clarke) believed that the phrase "exclusive dealing" had been translated in the strongest language, and followed by the darkest deeds that ever disgraced the cause of the Land League. He differed from those among whom he sat in the view he took of the Coercion Bill of last year and of the present Bill. If the Amendment stood alone as a proposition, every Member of the House would readily support it; but he could not vote for it, because it was not an Amendment containing instructions to the Committee, but would defeat the Bill altogether. The Bill was a Ministerial Bill, and upon the Government must rest the responsibility, and it ought to be left with them. They were told by the Prime Minister the Bill was not prepared in a hurry owing to a recent event; on the contrary, they were told the Bill was deliberately considered before that event, and the Government demanded this Bill to strengthen their hands. The responsibility for the Bill rested with the Government, who stated that the powers asked for were necessary, and he was not prepared to vote against their request. But while he would not take the responsibility of voting against the Government, nothing should induce him to vote in favour of the Bill, which involved a far greater infraction of public liberty than its predecessor of last year, for which he voted with reluctance, and to his great regret ever since. The Government, however, told them they could not carry on the Government at all, unless they were intrusted with the powers asked for, which they deemed to be necessary. They had carefully prepared the Bill, and, from what fell from the lips of the Prime Minister, they attached great importance to it, and they intended to stand by its proposals. Apart from the details of the Bill, he, as a Constitutional lawyer, desired to see liberty preserved, as far as possible, from the arbitrary interference of the Government; and there were one or two matters to which he wished to allude. It was not that he believed no Bill to be necessary that he objected to it. On the contrary, he believed a Bill of some such sort was necessary months ago. Six months ago something very far short of the proposals contained in this Bill might have secured the reign of law and order in Ireland. He said to his constituents four and a-half months ago that there were two matters which ought to have been dealt with by the Government long ago. Trial by jury had become a mere form. In some form or another a substitute ought to have been found for trial by jury in Ireland. He thought the proper substitute was, not the changing of the venue and so forth, but the substitution of persons of responsibility and judicial experience to deal with the cases brought before them. He, therefore, approved of the provision affecting the Judges. There was another matter to which he had referred over and over again. The great cause of the paralysis of the law in Ireland came from this—that they had not immediate powers of dealing with the smaller crimes which go to support this practice of "Boycotting." In the matter of "Boycotting" it was well known that people agreed together to prevent others doing lawful acts; but it was no use to attempt to deal with such cases, because of the want of a summary process. Conspiracy was a Common Law offence, not a statutable offence. There must be some extension of summary jurisdiction, although he could not help saying that he hoped the House would never be persuaded to accept the clumsily-drawn provision of Section 4 of that remarkable Bill. Why was it that he objected to the Bill? The main ground was this. It was, from beginning to end, the creation practically of a despotism—the placing of despotic power in the hands of a single person. The Lord Lieutenant, by this Bill, could proclaim a district; the Lord Lieutenant might issue warrants; and the Lord Lieutenant could do this and that; in fact, there was scarcely a clause in the Bill which did not turn upon the name of the Lord Lieutenant of Ireland, and which did not invest him with absolute despotic power. It might be necessary that Ireland should be submitted to this despotic power by the absolute suspension of the safeguards of the law, and he was not quite sure that he should object to it if they had an administrative despotism. But his greatest objection to the Bill was that it established a political, a Party despotism, and he thought that the gravest danger of the Bill was that it put arbitrary power in the hands of a single individual who was a Member of the Cabinet and of the Party now in power, but who could not, oddly enough, be brought into direct responsibility to that House. Now, he would say of the right hon. Gentleman the Chief Secretary for Ireland (Mr. Trevelyan), who had courageously undertaken his post, that he had never seen on the Treasury Bench one more amply qualified to represent a public office than he was; but, at the same time, he was not a Member of the Cabinet, and he was not responsible for the policy of the Cabinet. He could not, therefore, consent to give his vote for a Bill which created despotic power, and gave Ireland into the hands of a single Minister of the Crown who was a Member of the Cabinet. Such a power would be dangerous in the hands of any Government; but it was more than dangerous in the hands of the present Government. The House had already intrusted great powers to the Government. Last Session they gave the Government power to imprison without trial upon suspicion; they were practically asking for the same power now, and more; for, whereas under the Act of last Session a person reasonably suspected of crime might be imprisoned, under the 14th and 15th sections of this Bill persons reasonably suspected of knowing someone else who had committed a criminal or illegal act might be sent to gaol and kept there to give evidence until the criminal was caught. How was the Bill of last year used? It was not used frankly and fairly. It was plainly avowed in October by the President of the Board of Trade that the Land League was not suppressed at a certain time, because it would have prevented a measure of Land Reform being carried out; it was desirable it should be continued until the Land Act was passed. Had the Act for the Protection of Person and Property been put into force without delay, it would, he believed, have crippled the efforts of the Land League, the Leaders of which were actually not afraid to stand up in that House and almost pledge themselves that, if their terms were met, outrages and disorder would cease in Ireland; but a different policy was pursued, and, consequently, month after month passed and the tale of outrages grew greater. It was not until after the passing of the Land Act that the Protection of Person and Property Act was vigorously administered, though it had been asked for on the ground that its immediate operation was necessary for the support of law and order; and why was it then so administered? Because thereby the Government hoped to secure success for their latest legislative achievement—namely, the Land Act. He did not think that a Government who were capable of such conduct, and who had so dealt with that House and the country, deserved to be intrusted with further coercive powers. [Sir WILLIAM HARCOURT: Hear, hear!] The right hon. and learned Gentleman said "Hear, hear!" and he (Mr. Edward Clarke) was glad to learn that he agreed with him, and presumed he would vote against the Bill. They had been told that that Bill and the measure dealing with arrears were two branches of a living whole. It was true that such an interpretation had been repudiated by the Irish Members; but, surely, the Government was here trying to do that in which it had failed over and over again, and which was destined once more to fail. The one Bill was extravagant in concession and the other extravagant in coercion, a measure which was not strong, but simply one of extravagant violence. While, on the one hand, their concessions blunted the edge of the weapon which they were asking the House to give them, on the other, the very demand for that weapon took away from their concession all character of grace. The Arrears of Rent Bill was an injustice to the taxpayers, being intended to subsidize the Land League by paying the debts of people who had allowed themselves to be terrorized over by that organization. The honest tenant who had paid his rent would now regret the money, for the dishonest tenant was to have his debts paid for him out of the taxes of this country. The result of that would be that Irish tenants would feel and say that the Land League had been successful in obtaining for them a grant of money from the Government. It was because the Government were extravagant in their concessions that all their pretence of coercion must fail. The Government had stated that they would stand by their Bill, and with their strong Parliamentary majority the Government could, no doubt, get any power they chose to demand; but he should refuse the responsibility of giving his vote in favour of a measure which involved a serious and unnecessary interference with public liberty, and which he was satisfied would be wholly ineffective in the hands of the present Government.

MR. ANDERSON said, he had never heard in that House a speech more calculated to drive away any sympathy for the cause advocated than the speech of the hon. Gentleman the Member for Tipperary (Mr. Dillon). He (Mr. Anderson) would confess that he was one who had considerable sympathy with the cause of those who sought to refuse coercive powers; yet if he thought that the sentiment and the spirit of that speech represented the spirit in which the Irish people intended to receive all attempts at conciliation from the people of Great Britain, he would be, unfortunately, forced to the conclusion that there was very little left for the Irish people but martial law. But he did not believe that the spirit of the hon. Gentleman's speech really was the spirit of the Irish people. It might be that of a very few; but he would far rather take the spirit of the speech of the hon. Member for Cork City (Mr. Parnell), or that of the hon. and learned Member for Mayo (Mr. O'Connor Power), which they heard yesterday, to be the real expression of Irish feeling, than the speech they had heard to-day. He had heard with very great satisfaction, from the Prime Minister, a few days ago, the statement that this Bill did not owe its origin to the foul crimes in the Phœnix Park the other day. That statement was made in the most unqualified manner; and he hoped it would set aside for ever any possible allegation that, prior to the Phœnix Park murder, there was any apathy or indifference on the part of Her Majesty's Government to all the former murders of ordinary people, such as the murder of persons like Mr. Herbert and Mrs. Smythe, and that it had only been when one of their own Members on the Front Bench was aimed at that they had ventured to bring in a Bill of this kind. The Prime Minister's assurance ended that, and he was very glad of it; but he must yet confess he did not greatly like this Coercion Bill. There were many things in it which were very far wrong. Indeed, he was afraid it would tend to drive back the tide of popular feeling in Ireland, which was decidedly setting in our favour, and which the great crime in the Phœnix Park only made stronger than before. He believed that if they had persevered in the policy of conciliation, and had not attempted a coercive policy, the tide of friendship would have set more strongly still towards us. Even if the Government thought it necessary to strengthen the powers of the Executive Government in some way or other, they might have done it by a milder measure than this, which he regarded as nearly the most stringent Coercion Bill the Government could pass. He hailed the measures of conciliation that were announced by the Prime Minister. He hailed as a new hope for Ireland the change that was made, even while followed by the retirement of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), and he only regretted that the conciliation had been so long in coming. In his opinion, it should have come long ago. There was a time when it might have come as an act of grace, and might have been received as an act of grace, and without any suspicion of weakness or defeat. That time was when the Land Act was passed. At that time, on the 17th of August last, he (Mr. Anderson) stood up alone among the English Members in that House, and implored the Government to send a message of mercy to Ireland along with their message of peace. He implored them to give Ireland a large-hearted order of release for those who were in prison under suspicion. That advice was not taken; it was rejected with scorn. If the advice had been taken, the hon. Member for the City of Cork would not have been put in prison; the "no rent" manifesto would not have been issued; and the Fenian element in the agitation, which grew to so great power during the imprisonment of the milder agitators, would not have gone on triumphant, and they would not have seen the great crisis that they had recently passed through. There was a golden opportunity then; but it was thrown away. Even now it was better to give it than not give it at all. Though it was tardy, he would be pleased if it should come. In regard to the Bill, he admitted some measure against crime might be necessary. He had voted for the second reading; and he would not oppose going into Committee, in the hope that some Amendments might yet be granted; but if no Amendments were granted, if there was no concession made, as to the very strong inroads on Constitutional right which were at present exhibited in the Bill, he should certainly feel bound, reluctantly, to oppose the Bill on its subsequent stage. The proposed suspension of trial by jury he could not think necessary; it was really so great an inroad on Constitutional right that he felt very great difficulty in agreeing to that part of the measure. Before attempting it, they should have been content to try some reform in the jury system of Ireland. He himself had once had the opinion—and a great many people were of opinion still—that the Irish people were hardly ripe for trial by jury; but there had lately been issued a Report by the House of Lords' Committee on the jury system of Ireland, and after reading that Report, which he had done carefully, his opinion was rather, not that it was wonderful that so many failures of the jury system in Ireland should have occurred, but that there should be any convictions got at all. The system was altogether defective and wrong, and that Report showed the defects of the system. There was first of all the panel to be selected, and the selection of that panel was most absurd, the exemptions being most ill-judged and extensive. Even a civil engineer was not liable to serve on a jury; and why a civil engineer should be exempted from service on a jury he could not understand. There were other exemptions which tended to aggravate the evil. Then there was a very slight fine that could be imposed for non-attendance; and in Ireland anyone who could afford it at all would much rather risk the payment of the small fine than serve on a jury, which in Ireland was regarded as invidious and even dangerous. Worse than that, not only was the fine very small; but it was never exacted in those cases where they were able to find a juror for an absentee. These were circumstances which tended to reduce the jury to one level—the level of the lowest and poorest class of those who were entitled to serve on a jury at all. Then, when they had got the list made up, there were a certain number selected to serve upon Grand Juries, and others to serve on special juries, and these were all exempt from serving on a common jury; so that there were all sorts of aggravated means of reducing the intelligence of the common jury. Then there was an extensive right of challenge. An accused person had the right, in a case of felony, of no less than 20 challenges. The result was that a man about to be tried had very nearly the selection of his own jury. Mr. Justice Barry had represented this system as weeding out the intelligence of the jury, and Lord O'Hagan had called it emasculating the panel. In fact, it reduced the common jury to such a measure of want of intelligence that the wonder was that trial by jury should succeed at all. He thought it was only the duty of the Government, as soon as this Report of the Lords' Committee came out, to have legislated on the recommendations it contained. While that Committee recommended a great many alterations, such as he had described, an alteration of the qualification and of the exemptions, insistence upon a smart fine for non-attendance, and the endeavouring in every way to bring greater variety of occupation and employment to be represented upon the jury, the Lords' Committee carefully abstained from recommending the suspension of trial by jury. The Government, however, instead of following the recommendations of the Lords' Committee, had set them aside, and had taken a line which the Committee did not recommend—suspension of trial by jury altogether. The Committee reported—

> "Only as the last resort, and in the view of a national emergency, could we bring our-

selves to contemplate so serious an innovation."

The Government, however, had not only brought themselves to contemplate it, but they had set themselves to the purpose of carrying it out. There was another reform not advocated by the Lords' Committee, which he (Mr. Anderson) thought might be tried in Ireland with very great advantage. He did not understand why they had such reverence for a unanimous verdict—for a unanimous jury. They allowed the opinion of one man to override the opinion of 11 men. That, he thought, was not a sensible course to take, and it was peculiarly unworkable in such a country as Ireland. They had in Scotland a wholly different system. He did not, however, intend to advocate that, because it went to another and the opposite extreme. In place of requiring a unanimous verdict from a jury of 12, they had a jury of 15, and they allowed a majority of 8 to convict. They had heard a good deal of late in the House of the mighty issues that might be decided by a simple majority of 1; but he did not think any hon. Member ever quoted the instance of the Scottish jury in support of that position. That, however, was the other extreme. But there was another plan, which he thought they might try—that of a three-fourths or a two-thirds majority, which he thought might work very well in jury trials in Ireland. By effecting these various amendments on the jury system, he thought it would have been far better for the Government to endeavour to carry out an improved system of trial in Ireland, in place of making so great an inroad on Constitutional right as suspending jury trial altogether. There were one or two other points in the Bill he did not greatly like—such as the suppression of public meeting and the suppression of the Press. These were measures that he did not believe were calculated to pacify Ireland. They were calculated to drive under the surface things it was better they should have on the surface; and he hoped some change would be made in these respects before they came to the final passing of the Bill. He intended not to vote against the Bill going into Committee; but it was in the hope that the Government would allow very considerable Amendments to be made.

MR. H. S. NORTHCOTE said, that in the small hours of yesterday morning there were great cheers from below the Gangway when the Prime Minister announced that the Arrears of Rent Bill would be taken at 2 o'clock yesterday; but he should like to ask hon. Gentlemen upon what principle they thought this Bill was introduced? Did they believe it was introduced by the Prime Minister in consequence of a pressing necessity, or did they believe it was introduced as a sop to the Conservative Opposition?—because, if it was introduced in consequence of a pressing necessity, any postponement of it from one day to another could only be regarded as a victory of the Government over themselves. If, on the other hand, the Bill was introduced merely as a sop to the Conservative Opposition, then the position of the Government was not a very creditable one, because they had declared that the Bill was introduced in consequence of a pressing necessity, the truth, however, being that it was introduced to satisfy their political opponents. He believed, however, there was a disagreeable and painful necessity—a case which they all felt to be a painful necessity—and, therefore, because he had that belief, he would support the Government. He made a special appeal to hon. Gentlemen below the Gangway on the Ministerial side of the House, if they made up their minds to support the Bill at all, to support it cordially, and his reason for doing so was this—it was perfectly notorious that the whole origin of the present troublous state of Ireland was the support which the insurrectionary movement derived from American sources. As to hon. Gentlemen below the Gangway on the Opposition side of the House, he did not think that they knew any more than other hon. Members in the House what was the real feeling of the Government in America or of non-Irish Americans. He (Mr. Northcote) had passed some years of his life in the United States, and had spent the last Parliamentary Recess there; and he had endeavoured, as far as he could, to make himself acquainted with the general state of public feeling there. Our relations with the United States were at the present moment most cordial, and we could not expect any more substantial aid from them than they had already given us;

for the Government of the United States had done, and he believed was doing, all that lay in its power to facilitate the work of Her Majesty's Government in maintaining law and order in Ireland. But it was obvious that the United States Government could not prevent the sending of money from America over to Ireland to support the Land League. The hon. and learned Gentleman the Member for Mayo (Mr. O'Connor Power) yesterday referred to the public feeling in America with regard to Ireland. He stated that a large public meeting was held in New York, which was attended by Democrats, Republicans, and men of leading influence in the United States, at which an unanimous demand was made for an entire change of conduct on the part of Her Majesty's Government towards Ireland. He (Mr. Northcote) respectfully differed from the hon. and learned Gentleman the Member for Mayo with regard to the position of the persons who attended such meetings. They were either Democrats out of office or discontented Republicans seeking to obtain office; and their names had now ceased to have any real political signification or influence in America. ["Oh, oh!"] He maintained that. He was perfectly certain of it. Since the time when General Grant ceased to be President, he had practically become an extinct volcano. He had become connected with commercial companies; but he was no longer a political power in the United States. The language which had been held to him (Mr. Northcote) by American gentlemen was that, as far as they could judge, the opinion amongst Irishmen in America was that if in Ireland they could for a short time longer defy the mild terrors of the existing Coercion Act, the Radical Party would put such pressure upon the Prime Minister as would induce him to allow that Act to lapse. Events had somewhat justified that opinion. Therefore, though it was open to hon. Gentlemen sitting below the Gangway opposite to vote for such Amendments as they thought desirable, he hoped that when the Bill was passed they would give the Government a genuine, loyal, and substantial support in putting its provisions effectively in force.

Mr. COHEN said, that, as the Representative of a constituency (Southwark) which contained a large number of Irishmen, while objecting to many of the provisions of the Bill, he intended to support its principle. At the same time, he would take that opportunity of stating his views of the general principle which he held to be applicable to legislation of a permanent character for Ireland. He believed that in local and non-Imperial matters the Irish should be allowed to govern themselves. But this was a measure of a different kind. The brilliant rhetoric in many of the speeches they had heard against the Bill only served to cover, while it adorned many political platitudes which had no logical bearing on the question under consideration. It would be necessary to settle the Land Question at once, by applying the Land Act to all small tenancies, and to assist every tenant who could not pay to clear off his arrears. When tranquillity was restored to Ireland, the Legislature ought to accord to her a large and liberal measure of self-government. He was extremely surprised that a Constitutional lawyer like the hon. and learned Member for Plymouth (Mr. Edward Clarke) should have objected to the Bill, on the ground that it withdrew trial by jury; while, at the same time, he could give his assent to the proclamation of martial law. With regard to the subject of the present Bill, the only question which presented itself was one of degree—Was there such a mass of undetected and unpunished crime and outrage as to demand the adoption of these extraordinary measures? His belief was that there was a necessity for the measure, as during the last year and a-half there had arisen a system of intimidation which had deprived the great mass of the Irish people of any real feeling of security. He thought that system of intimidation had tended to disorganize the whole system of administration, and to demoralize the whole of the Irish people, and would do so further if it continued; and it was especially because he believed intimidation required to be put down that he supported the Bill. With respect to the clause bearing on that subject, he thought the definition of "intimidation" would have to be altered in Committee. The same words found in the Law of Conspiracy might be inserted — namely, "acts of violence and intimidation"—

without any attempt being made to define intimidation. With regard to newspapers and public meetings, unless the clauses relating to their suppression were considerably modified, he feared it would be dangerous to express any political opinion in Ireland. He supported the Bill, because he thought that intimidation, being a peculiar offence, required a peculiar remedy.

MR. RITCHIE said, he wished to be allowed to say a few words, because he was unable to agree with the great majority of his hon. Friends sitting on that (the Opposition) side of the House as to that Bill. He concurred in much that had been said by his hon. and learned Friend the Member for Plymouth (Mr. Edward Clarke); and he did not propose to do as the hon. Member for Glasgow (Mr. Anderson) had done that day—namely, to speak against the Bill and promise to vote for it—a course that had more than once been followed by hon. Members on the other side of the House, both in reference to that Bill and to some other matters. He could not support the Bill, because he believed it would not be effective for the purpose for which it was intended, and because he had no confidence whatever in the manner in which it would be administered by the Government if they obtained it. When the Coercion Act of last Session was brought in, he stated that he would support it, simply because it was brought in by the responsible Government, who declared it to be necessary for preserving the peace of Ireland. But he had voted with considerable reluctance for it; and he did not propose any longer to be dragged at the chariot wheels of the Government in their policy of alternate coercion and concession. The Government obtained the powers they sought last year, and what had been the result? Both in reference to the bitter and the sweet which they then presented to the House in either hand, as they did again now, their policy had been a lamentable and conspicuous failure. Neither had the one Bill which they introduced, nor the other, been followed by the results which they promised. On the contrary, Ireland was now in a greater state of rebellion and disorder than it was at the time when the Government asked for those powers last year. Again they came forward with this Coercion Bill, which was the bitter, as their Arrears of Rent Bill was the sweet. Along with his hon. and learned Friend the Member for Plymouth, he held that those two measures must be regarded as a whole, and as parts of a definite policy; and he, for one, declined to give his assent to such a policy, fraught, as he believed it to be, with the gravest dangers. The Arrears of Rent Bill, introduced on lines totally unfamiliar to the English people, was a measure which, so far from producing peace and satisfaction in Ireland, was only likely to increase the agitation in that country, and he thought justly to increase that agitation. The proper lines, in his view, on which to legislate were those sketched out by the Report of the Committee of the House of Lords, and by the Amendment of his right hon. Friend the Member for Westminster (Mr. W. H. Smith), who proposed to afford facilities to the Irish tenant to become the owner of his holding; and until the Government grappled with that great question somewhat upon those lines there was no hope of a permanent settlement. Measures such as that introduced the other day would not serve to allay the dissatisfaction which existed, but to foster and increase it. Neither, as he had said, could he support the present Coercion Bill. To his mind, the great evil that existed with reference to crime in Ireland was the want of vigour which was displayed by the Irish Administration in putting the ordinary law into force. They had not sufficiently protected those who had been disposed to render assistance to good government in Ireland. He agreed with the hon. and learned Member for Southwark (Mr. Cohen) that the great mischief to be combated was not so much that crime was unpunished, as that it was undetected; and he failed to see that the provisions of this Bill would enable crime to be detected, or enable Judges or juries to obtain that amount of evidence without which no tribunal whatever could find an accused person guilty. He looked upon the policy of the Government, in regard to Ireland, as a policy of unrest, not of peace. He could conceive nothing more mischievous thad this alternate concession and coercion; and he declined any longer to be a party to it. Their policy had miserably failed, and he would recommend them to hand over the government of Ireland to someone who would be better able to administer it. [*Laughter.*] He knew perfectly well it was useless to expect that that sentiment should meet with support from the present House of Commons. It was the custom of right hon. Gentlemen on the Treasury Bench to say—"If you do not have any confidence in us, why do you not move a Vote of Censure upon us and our policy?" But those right hon. Gentlemen had behind them a large and subservient majority, among whom were hon. Members who were not ashamed to speak one way and to vote another. While the Parliament was young, hon. Members, rather than risk an appeal to the country, were prepared to support the Government in any proposition they made, however unpalatable it was to them; but as Parliament grew older, they would, perhaps, become more independent. Were hon. Members opposite free to vote as they pleased, without fear of a Dissolution, even the present strong Administration would by this time have ceased to exist. There was, in his opinion, no hope of peace in Ireland while they remained in Office, whatever powers Parliament conferred upon them; and, believing that, he declined to support the Bill now before the House.

Sir STAFFORD NORTHCOTE: Sir, I regret exceedingly that I have not been able, through another appointment, which I was not able to alter, to be in the House during the greater part of this discussion, and I regret it all the more when I find, on coming down to the House, that the first speech I have listened to is that which has been delivered by my hon. Friend who has just sat down (Mr. Ritchie). I share to a very great extent the sentiments of my hon. Friend when he says we have much to be dissatisfied with in the Irish policy and the administration of the Government; and, on the proper occasion, I shall be quite ready to express my grounds of dissatisfaction at some parts, and important parts, of their policy; but I think it would be a great misfortune if, at the present moment, there should seem to be an uncertain sound from the Conservative side of the House, when the Government are engaged in a task which is more than enough to try the strength of the strongest Government and the most united Parliament England has ever seen. I cannot exaggerate the importance or the difficulty of the position of the English Government—I do not speak of the present Administration only in relation to the affairs of Ireland; and, though I do not profess either to stand up as an apologist or an admirer of many things the Government have done, or as being one who would apologize for many of what I deem their omissions, yet I think the time is one when we must speak plainly. We must show that the feeling of this country is prepared to support the Administration, as long as they are in power, in any measures which it thinks necessary to take for the maintenance and restoration of order in Ireland. My hon. Friend said—and there may be some amount of truth in it—he felt the difficulty of those who have actually to discharge the duty of keeping peace and order in Ireland greatly enhanced by the want of support and the apparent vacillation on the part of the Government under whom they serve. At all events, do not let us fall into the same mistake. Do not let it be said that the difficulties of the Government are difficulties which are caused by a want of certainty of the moral support of Parliament as a whole. We are to aid them in the exertions which they are making; and although we must feel that the measure which they propose is one of an exceptional character, and one which necessarily contains provisions that in themselves we regret to see produced and enforced upon any part of the Empire, yet we cannot but feel that nothing but a sense of the most absolute necessity has led the Government to propose them. I do not feel it is at all necessary to enter into any discussion; I merely rose in order that there might be no misunderstanding on the subject. I do not, however, at the same time, think it is at all the duty of those who are in Opposition to the Government, and who are prepared to support them, to refrain from criticizing what the Government do. On the contrary, I think it is absolutely their duty to criticize the proceedings of the Government. A Government has no greater enemies than those who are always ready to flatter them and say they are right, and I think it is a mistake we sometimes have to complain of in some of the supporters of the present Government. They are far too ready to get up and say that what the Government say they must do must be done. I do not think we ought to say that; for my part, I always intend to undertake freely the post of critic. But I do say in the maintenance of the authority of the Government, especially in the face of such language as I understand has been used in this House today, and in the face of such acts as we see in the Sister Island, I say it is our duty to stand up manfully for the Government, and to support them as far as we are able in the legislation which they now propose.

MR. O'DONNELL said, he was not surprised that the Leaders of the Conservative Party again came forward, at the first available opportunity, with their united force of Conservatism in support of more despotism for Ireland. For that reason he greatly regretted that the only upholder of Constitutional government upon the Front Opposition Bench had been removed by the hand of death. The late Sir John Holker was the only Member of the Conservative Party who raised his voice last year in behalf of freedom; and he was the only person to be found on the Front Opposition Bench, when the Coercion Bill was introduced last year, to stand up and remind the House that coercion had always been a miserable failure, and that there was still such a thing as a British Constitution. Now that he had departed, there was no friend of Constitutional freedom remaining on the Front Opposition Bench, for no one could be found now to supply his place. But he (Mr. O'Donnell) did not regard the present as a Liberal or a Conservative measure; it was an essentially English measure, and as such afforded fresh proof, if proof were wanted, of the deliberate incapacity of the English to govern Ireland. It would meet with the condemnation of every Irishman throughout the world. The right hon. and learned Gentleman the Member for the University of Dublin (Mr. Plunket) complained of the old grievances of Ireland being dragged into the discussion. He (Mr. O'Donnell) denied that they were old grievances, or that the situation in Ireland was different now from what it was in the days of the Tudors or of Cromwell. The right hon. and learned Gentleman seemed much displeased that the condition of Ireland had elicited the sympathy of the Irish-Americans, and had drawn contributions from them to the national cause. But the House should bear in mind that these protests against the interference of Irish-Americans, and these denunciations of Irish-American contributions, were only of very recent date. Year after year, and decade after decade, Irish-American money flowed into Ireland, and no voice was raised in the landlord ranks, so long as that Irish-American money went into the pockets of Irish landlordism. For every dollar of Irish-American money that was poured into the treasury of the Land League the Irish in America poured 50 dollars into the pockets of the Irish landlords, through long and miserable years, in order to keep the roof over the aged father and mother, threatened with eviction by remorseless Irish landlordism. He was heartily glad that the Irish in America had drawn the only lesson which could be drawn from that fact. The Irish-American contributions were no longer directed to the maintenance of that power which destroyed their kith and kin, but were now devoted to the speedy destruction of that evicting and relentless power. Reference had been continually made to O'Donovan Rossa, the favourite bogey, who was usually and alternately trotted out on these occasions by both sides of the House for Parliamentary purposes; and, whatever he might be —degraded, revengeful, desperate, and criminal in the highest degree—and he (Mr. O'Donnell) would admit that he might be all those, with a hatred of everything English as well—yet it was to be remembered that it was the English Government who had made him so. He was only one of the inferior agents of the Fenian organization; and among all the prisoners tried for treasonable offences during the Fenian troubles in Ireland there was not one bore a higher character for frankness and open-hearted manliness than O'Donovan Rossa. The Fenian insurrection could be put down by the forces of the law; but, while it existed, it was sustained and pure in a degree, which characterized no such movement in any other country in the world. For days large districts in Ireland, deserted by a pusillanimous gentry, were at the mercy of the Fenian insurgents, and in no single place was there an outrage upon person or property. England had a right to punish these enemies of English rule; but

England had no right to degrade them to the brutal level of beasts. O'Donovan Rossa, frank and manly as he was then, was sent to herd with the vilest wretches that English civilization could produce. The Government, instead of treating him as a political prisoner, compelled him to undergo the degradation of penal servitude, and forced him to associate with men in comparison with whom the burglar was one of Nature's gentlemen. The result was that his hot temper and his fierce spirit rose against these degrading tortures, and he came out of prison a different and an altered man, with a ferocity inculcated upon him by his prison torture; and now, forsooth, the complaint was that he spoke and wrote words of murder, and was the companion of assassins. It was England that had made him, a frank and open rebel, a companion of murderers and law-breakers. If he was treated as a beast of prey it was this country that had made him so. It was not to be wondered at that when O'Donovan Rossa came out of prison he came out with a deadly hatred in his heart towards the English nation. [" Question! "]

Mr. SPEAKER called the hon. Gentleman to Order, and requested him to address himself to the Question before the House.

Mr. O'DONNELL, continuing, said, he thought that he had done so, or, at least, had endeavoured to do so. This Bill was the application to Ireland of the same principle which underlaid and which governed the penal treatment awarded to Irish rebels years ago, and was necessitated by a state of affairs entirely caused by the provocation to outrage given by the wholesale evictions that had taken place throughout Ireland. Instead of this Bill, let the Government press on a Bill removing the grievances of the Irish tenantry, and there would then be no necessity for such a measure as this. The Government alleged that the number of outrages were an excuse and a justification for this Bill; but he found from a Report placed in the hands of hon. Members that morning that the law as administered in Ireland continued to apply the strongest stimulus to desperation; for the evidence in that Report showed that obedience to the law was the surest road to ruin in Ireland. From the Returns it appeared that in the county of Clare, where outrage was rampant, only nine families, consisting of 48 men, women, and children, were evicted during the month of April. On the other hand, in the great and peaceful county of Tyrone, where there were no outrages, and where the people were not bound together in combinations for self-defence, 153 men, women, and children were evicted during the same month. What a terrible lesson was thus taught by the administration of the law in Ireland, when the law-abiding counties were punished, but the law-resisting counties escaped with comparative impunity! Then, in Donegal, where respect was shown to the law, 196 men, women, and children had been evicted during the same period. Again, no county was more ready to conform to law and order than the county of Mayo, yet what was the consequence? Mayo stood pre-eminent for her terrible total of evictions, for the number of persons evicted in that county during April amounted to no less than 434. The fact was that the present administration of the law in Ireland, just the same as the past, encouraged the people of Ireland to commit outrage and intimidation, because outside outrage and intimidation there was no protection for the tenants. They found that was the best mode of resisting the Crowbar Brigade. Then, as to the change in the Lord Lieutenancy, in what respect was Lord Spencer preferable to Lord Cowper? Had he a patent of infallibility? He (Mr. O'Donnell) protested against setting up a gilded puppet as the Representative of law and order in Ireland. Again, there was the self-discredited tribunal of Irish Judges, who had declared themselves unfit for these new duties; and that, if they undertook them, the result would only be to lower the respect of the people for the law and for the Judicial Bench in Ireland. It was actually proposed that a sum of money should be paid out of the Public Treasury sufficient to overcome the objections of Irish Judges to being made the instruments of English coercion. Then, beneath the Irish Judges, thus sought to be bribed out of their conscientious objections to being made ministers of coercion, they had the magistrates, who would rule the country much as Haynau or Mouravieff ruled Hungary or Poland. Then there were the police stained with the blood of their fellow-citizens in Ireland. Then it was said that the object of this Bill was to further the better detection and punishment of crime in Ireland. How could such a Bill as this effect that object, if the feeling of hatred to obey the law had, down to the present, been so strong and universal among the Irish people as to band them together, according to the statement of the Government, against the existing law? What inducement did it offer to the people to alter their hostility to the law, and to give their help to an infinitely worse and more degraded judicial system than ever, when they would not even help the comparatively honest and honourable judicial system that already existed? He did not deny the competence of Parliament to pass this Bill. If a Bill were brought in on the authority of Government to repeat the miracle of the sun standing still, he was not aware that it would be less valid in the eyes of a lawyer than any other. So this Bill, when it passed through Parliament and received the sanction of the Sovereign, misled by her Advisers, would also be a valid law. But in another, and a higher, sense Parliament was incompetent to abolish the Constitutional liberties of a civilized nation. They might make this law and exact obedience to it by their Ministers; but for such a law there could be no respect in the heart and the conscience of mankind. The Stuart whom they drove from England never affected to rule by such a detestable instrument. It out-Bombaed Bomba; let them pass it, and it would be a dead letter in the eyes of the world. Again, they proposed to abolish trial by jury. He admitted their legal, but he denied their moral competence. When once the Constitutional principle was established that a man, no matter what crime he might have committed, was to receive trial by his peers, they might pass what law to the contrary they pleased, and it would be morally of no worth. What honest man would hand over Judas Iscariot to the law, when he was not to be tried by his peers, but by three Irish Judges? Though an offender had struck down his nearest of kin, never would he by act or word make himself an accomplice in a moral assassination of that kind. He wished to say nothing harsh of the Premier in the embarrassing position in which he found himself, where he had less to dread from open enemies than from treacherous allies. He was sure that not only the Premier, but many a Member of the Liberal Party would be glad to dispense with this Bill. But he was not treating it as a Liberal or a Conservative Bill, but as an English Bill, and the introduction of such a measure was another inducement to the Irish people never to rest until they had got rid of English interference in the internal affairs of Ireland. As an Irish Representative, he said that they had only to remove grievances in Ireland, and there would be no excuse for coercion. Let them root the Irish tenantry in the Irish soil and every outrage would cease; for the miserable object of those who committed outrage was to protect themselves by terrorism against the awful terrorism of the evicting law. In Italy and in every country in the world it was in vain they sought to put down popular crime until they eradicated the causes of provocation. Abolish the evicting law, and the terrorism of the Crowbar Brigade and the Emergency men, and, at the same stroke, they would abolish the terrorism of "Captain Moonlight." What was going on in Ireland was legally crime, and morally sin; but woe to those who had driven law-abiding citizens into the ranks of outrage. The right hon. and learned Gentleman the Member for the University of Dublin reminded Irishmen last night of the great advantages they received under British connection. But he was not aware that any Irishman got anything more than his hard-earned money's worth. He might appeal to the two distinguished Irishmen who sat upon the Front Opposition Bench, the right hon. and learned Members for the University of Dublin, who, on so many occasions, were the brain-carriers of the Conservative Party, condemned to subordinate positions, while men, infinitely their inferiors, lorded it over them, as a proof that the most distinguished Irish talent would never gain here a tithe of the honour and respect given to Irishmen who devoted themselves to Ireland. By the memory of the enormous obligations which England was under to Ireland, he called upon the House to pause before taking this irrecoverable, this irremediable step. It was but half a century ago that the Iron Duke, with Irish blood in his veins, reminded the House of Lords, in support of Catholic Emancipation, that during the deadly struggle, the gigantic war, which England waged with the greatest military genius of modern times, the enormous majority of the soldiers opposed to Bonaparte were Irish Catholic soldiers, and the Duke said that without them the victory would not have been on the side of England. Well, the reward of England was to persecute to misery and degradation and destruction the Irish race. When the Irish people were twitted with reluctance to pay their just debts to their landlords, it must be remembered that during the last 80 years the latter had received from a poor and impoverished tenantry £400,000,000 or £500,000,000 sterling, which had been mainly expended in this country by absentee proprietors. Was there ever such a tribute paid by a poor country to a rich one? When he heard the landlord class crying for coercion and more coercion, he was obliged to remember that the luxury, the pomp, the silks and the satins, the carriages, and the wines enjoyed by the Irish landlords had been paid for out of the starvation of Irish men, women, and children. There was no allegiance due to despotism; therefore, let them pass this Coercion Bill, and the respect paid to the law would be the respect which was really paid to English bayonets and English force.

Mr. BORLASE said, that next in danger to speeches like that just delivered he placed the speech of the hon. and learned Member for Plymouth (Mr. Edward Clarke), because its tendency was to weaken the hands of the Irish Executive, at the time it had most need of being strengthened, by insinuating that the Lord Lieutenant was a Party man. He (Mr. Borlase) was delighted when he saw that the right hon. Gentleman the Leader of the Opposition rose in his place, and, on behalf of his Party, repudiated the sentiments of that speech. The speech of the Prime Minister ought to find an echo from the Benches behind him. The hon. Member for Tipperary (Mr. Dillon) had attempted to draw a distinction between "Boycotting" and outrages, and had put before the House the proposition that it was not murder to ostracize anyone from society, to turn them out into the world unclothed and unfed, while it was murder to stab them. The hon. Member had carried the House back to the primitive state of society in the East, when there were two sorts of wilful murder—namely, murder which involved blood-guiltiness and murder which did not; but which, nevertheless, turned out people into the wilderness to starve. Although the hon. Member for Tipperary would discourage outrage, he could not control the Land League and the inner "circle of friends" of whom he had spoken who were its supporters. Although the Land League influenced the provisions of the Land Act, and tended to make them as complete as they were, it was part of a movement which produced the Phœnix Park murders. Had it not been for the system of which the Land League was an undoubted part, Lord Frederick Cavendish would have been alive this day. No one destested more than he did some of the provisions of the Bill, and he had been engaged, with other hon. Gentlemen, in preparing a memorial to the Prime Minister upon it, with a view to its modification; but since he had heard the speech of the hon. Member for Tipperary he would be no party to such a document. Repugnant as the Bill was to his principles as a Liberal, he felt the Bill was a necessity, and that they were bound to vote for it. He should, therefore, as he was sure other hon. Members would, support through thick and thin Her Majesty's Government in passing this measure; and he felt sure that, in spite of the speech of the hon. and learned Member for Plymouth, the great body of the Tory Party also would do the same. He believed those hon. Members below the Gangway on his own side would think twice before they rejected the appeal of the right hon. Gentleman the Prime Minister and resisted the passing of the Bill in its integrity.

Dr. COMMINS said, there was clearly a compact between the two Front Benches, and such a compact was always dangerous to the liberties of Ireland. He gave the Government credit for acting according to the best of their lights; but still he must assert that the Bill must fail, because it did go to the root of the evil, although it might, like a quack medicine, produce a temporary lull. As long as grievances were unredressed, and one portion of the people of Ireland were manacled at the feet of another class to be trampled upon, so long would the resistance to unjust laws continue and show itself in outrage and even in murder, There was not a people in the world more averse from crime than the Irish; but when the law was an outrage itself, they would range themselves against it, although there might be beside them men whose acts they condemned and deplored. If a union with Ireland was desired by this country, it must not be as a union of beasts tied by the tail, but a union of interest, and hearts, and sympathies, tending to the peace and prosperity of both countries. He had to complain of the attitude of the Government towards those Irish Members who expressed their apprehensions of the passing of the Bill. Those hon. Members were entirely in sympathy with the Prime Minister in his desire to heal a long-standing ill-feeling that existed between Ireland and England, and he (Dr. Commins) had always endeavoured to quell that feeling both in speech and writing. Yet the Government persisted in their coercive measures with the pertinacity of the vendors of Morrison's pills—urging Parliament, when one did not suffice, to take another. This was the 51st Irish Coercion Bill, and he was convinced that, like its predecessors, it would aggravate rather than cure the evil. It might cause a temporary lull in Ireland, and send discontent below the surface; but it would be attended with no permanent beneficial effect. While he believed that no amount of amendment would substantially improve the measure, he should endeavour to secure some modification in Committee.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Parnell.*)

SIR WILLIAM HARCOURT: Sir, I do not intend to offer any opposition to the Motion; but I hope all sides of the House will see the advantage of not unnecessarily prolonging debate upon a matter which, at this stage, requires but little more discussion, the main principle of the Bill being in the clauses. I hope, for that reason, all parts of the House will agree to bring the debate to a close, and go into Committee to-morrow.

Question put, and *agreed to.*

Debate *adjourned* till *To-morrow.*

SUPREME COURT OF JUDICATURE ACTS AMENDMENT BILL.

(*Sir Hardinge Giffard, Mr. Butt, Mr. M'Intyre, Mr. Charles Russell, Mr. Inderwick, Mr. Webster, Mr. Buchanan, Mr. Gregory.*)

[BILL 154.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, he was sorry to interpose between the Committee and his hon. and learned Friend (Sir Hardinge Giffard); but the hon. and learned Gentleman the Attorney General, who was unavoidably absent, was very anxious to make some observations on the Bill, and, therefore, he (the Solicitor General) felt bound to move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Solicitor General.*)

SIR HARDINGE GIFFARD said, he would point out that the Bill was very short, and the third reading would afford the hon. and learned Gentleman the Attorney General ample opportunity of offering any observations he might think necessary.

MR. PUGH said, that he had to object to the Committee being proceeded with.

MR. BUTT said, he was anxious to know whether the hon. and learned Gentleman the Attorney General meant to insist upon his opposition to the Bill at that stage? There was only one clause, and any opposition might very well be taken on the third reading.

Question put, and *agreed to.*

Committee report Progress; to sit again *To-morrow.*

MOTIONS.

LOCAL GOVERNMENT PROVISIONAL ORDER (NO. 10) BILL.

On Motion of Mr. HIBBERT, Bill to confirm a Provisional Order of the Local Government Board relating to the Borough of Ryde, *ordered* to be brought in by Mr. HIBBERT and Mr. DODSON.

Bill *presented,* and read the first time. [Bill 181.]

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.

On Motion of Mr. Stevenson, Bill to prohibit the Sale of Intoxicating Liquors on Sunday, *ordered* to be brought in by Mr. Stevenson, Mr. Birley, Mr. William M'Arthur, Mr. Charles Wilson, Mr. Walter James, and Mr. Charles Ross.

Bill *presented*, and read the first time. [Bill 182.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF COMMONS,

Thursday, 25*th May*, 1882.

MINUTES.]—Select Committee—Contagious Diseases Acts, Mr. Cobbold *discharged*, Mr. Bulwer *added*.

Public Bills—*Ordered*—*First Reading*—Middlesex Land Registry * [184].

First Reading—Payment of Wages in Public-houses Prohibition * [185].

Second Reading—*Referred to Select Committee*—Conveyancing [121].

Select Committee — *Report* — Artillery Ranges [No. 206].

Committee—Prevention of Crime (Ireland) [157] —r.p.; Supreme Court of Judicature Acts Amendment [154]—r.p.

Committee—*Report*—Poor Rates * [171].

Considered as amended—Irish Reproductive Loan Fund Act (1874) Amendment * [133]; County Courts (Ireland) [169].

QUESTIONS.

LAW AND POLICE (IRELAND)—SUB-CONSTABLE KEPPEL.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the fact that on the 6th of January Sub-Constable Keppel arrested a man named Dempsey at Gorey, county Wexford, on a charge of drunkenness; whether, on being brought to the lock-up, it was ascertained that the prisoner was sober, and that the constable was drunk; whether the prisoner was then discharged; whether Dempsey was subsequently about to take proceedings against the sub-constable, but, owing to an arrangement, left the Country for America; if he can state by whom the man's leaving the country was promoted; if the sub-constable has in any way been punished for his conduct on the occasion; and, whether it is in the power of a policeman to arrest a man, and subsequently discharge him, without his being summoned?

Mr. TREVELYAN: Yes, Sir; it is the case that on the 6th of January Sub-Constable Keppel arrested a man named Dempsey, at Gorey, on a charge of drunkenness. On being brought to the barrack it was found that the prisoner was sober and the sub-constable was drunk. The sub-Inspector was sent for and immediately ordered the prisoner's discharge. I believe Dempsey did intend to take proceedings against the sub-constable; but they never came to anything. He was returned for trial at the last Wexford Assizes on a charge of intimidation. He pleaded guilty to the charge; but the Crown accepted his voluntary offer to leave the country if discharged, and he was discharged without sentence. His leaving the country had no connection with the case of the sub-constable. The sub-constable was fined £1 for drunkenness on the occasion. He was leniently dealt with owing to the fact of his having been of good character and free from unfavourable records for 10 years. I think the Sub-Inspector took a very proper responsibility upon himself in at once ordering Dempsey to be discharged, seeing that he had been guilty of nothing for which he could have been summoned.

Mr. HEALY asked, was the sub-constable to be allowed in future to preserve the peace in the streets of Gorey when he himself, to the knowledge of all the inhabitants, had broken it?

Mr. TREVELYAN said, he presumed what was done was in accordance with the general regulations and discipline of the force.

FISHERIES (ENGLAND)—THE VACANT INSPECTORSHIP.

Mr. Alderman W. LAWRENCE asked the Secretary of State for the Home Department, Whether he will delay appointing an Inspector of Fisheries in the place of Mr. S. Walpole (now the Lieutenant Governor of the Isle of Man) until he may be able to consider the various Memorials forwarded to him requesting that a thoroughly practical person may be appointed, conversant with all kinds of fishing vessels, and with the nets, dredges, pots, lines, and sets used in the capture of fish?

Sir HENRY FLETCHER: I should further like to ask the Home Secretary, Whether, having regard to the anxiety felt by the various interests affected, he will state when it is intended to fill up the existing vacancy in the Inspectorship of Salmon Fisheries?

Sir WILLIAM HARCOURT: The appointment has been postponed in order that the whole matter may be considered, and that department of the Public Service made more generally useful to the fisheries.

THE MAGISTRACY (IRELAND)—MR. PARNELL.

Sir H. DRUMMOND WOLFF asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, as a consequence of the recent policy of the Government in Ireland, it is intended to restore the name of Mr. Charles Stewart Parnell to the Commission of the Peace?

Mr. TREVELYAN: The Executive Government does not interfere in the appointment of county magistrates; the appointments rest with the Lord Chancellor, who usually acts upon the recommendation of the lord lieutenant of the county.

AFRICA (SOUTH)—CETEWAYO, EX-KING OF ZULULAND—VISIT TO ENGLAND.

Mr. DILLWYN asked the Under Secretary of State for the Colonies, Whether any promise was made to Cetewayo, on behalf of the Imperial Government, that he should visit England; and, if so, whether the proposed visit has been abandoned with his consent?

Mr. COURTNEY: In the absence of my hon. Friend the Under Secretary of State for the Colonies, I have to state that in September last Sir Hercules Robinson was directed to inform Cetewayo that Her Majesty's Government were disposed to entertain his request to visit England and would consider what arrangements could be made to meet his wish. Government must exercise their own discretion as to the time, which is at present considered inopportune; and they do not hold themselves bound to allow the visit if it would appear likely to produce consequences dangerous to the peace of Zululand.

Mr. DILLWYN asked whether Cetewayo had been consulted?

Mr. COURTNEY: As there was no promise made, I apprehend that there is none to be withdrawn.

THE IRISH CHURCH TEMPORALITIES COMMISSION—THE SURPLUS.

Mr. GIBSON asked the Financial Secretary to the Treasury, How soon will the Return, showing the present financial position of the Irish Church Temporalities Commission, be distributed; and, will the Return show in an intelligible form the amount of all the liabilities on one side, and all the assets on the other, with an approximate valuation of such assets?

Mr. COURTNEY: The Return is now in the printer's hands, and, as far as the Treasury goes, it will be ready for distribution at the end of the present week. The Return will show the incomings and outgoings under present arrangements as they may be estimated for successive years in the future, and in this form will present an intelligible and trustworthy view of the situation of the Church Fund. I shall be ready to confer with my right hon. and learned Friend as to any supplemental information that may appear to him desirable.

Mr. GIBSON asked if there would be any attempt made to put a value on the assets?

Mr. COURTNEY said, the income would be shown in each successive year from this time forward, and in a corresponding way it would show the outgoings.

THE ROYAL IRISH CONSTABULARY—SPECIAL GRANT.

Mr. GIBSON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the sum of £180,000 is about to be distributed among the head constables, constables, and sub-constables of the Royal Irish Constabulary as compensation for the extra expense and labour cast upon them during the last eighteen months; and, if so, what compensation, reward, or acknowledgment is to be made to the county and sub-inspectors of that hardworked force on the same account and for the same period?

Mr. TREVELYAN: Yes, Sir; it is proposed to apply to Parliament for a sum of £180,000, as a special grant to the men of the Royal Irish Constabulary, as compensation for extra expenses to which they have been put by largely-increased duties. It is not intended to award any of this sum to the officers of the force; but I hope soon to be in a position to lay on the Table of the House the Report of the Committee which recently inquired into their pay, allowances, and pensions, and with respect to the recommendations in which I am now in communication with the Treasury.

Mr. GIBSON: I will to-morrow ask the right hon. Gentleman when the Bill will be brought in; whether it will deal only with the case of the men; and, whether it will not be anomalous that compensation should be paid to the men and not to the officers?

Mr. O'DONNELL gave Notice that he would ask, Whether, in the distribution of this money, regard would be had to the case of those constables and sub-constables in Ireland who had resigned within a recent period?

Mr. HEALY said, he should ask whether the constables who fired on and killed people would take part in the distribution?

MERCANTILE MARINE — CREWS OF MERCHANT SHIPS—INTERNATIONAL CONSULAR TREATY.

Mr. GOURLEY asked the President of the Board of Trade, What measures have been taken for the purpose of concluding an International Consular Treaty with the United States Government, in accordance with Clause 6 of the Merchant Seamen Act, 43 and 44 Vic. c. 16?

Mr. CHAMBERLAIN, in reply, said, the Government had been in communication with the Government of the United States, in the hope of being able to arrange an international agreement with respect to crews of merchant ships of either country in a port of the other country.

IRELAND—COMPENSATION TO FAMILIES OF MURDERED TENANT FARMERS.

Mr. BRODRICK asked the Chief Secretary to the Lord Lieutenant of Ireland, What compensation, if any, the Government intend to propose to the destitute families of Irish tenant farmers who have been murdered for paying their rent?

Mr. TREVELYAN: The policy of the hon. Gentleman's suggestion is somewhat novel; and some time may pass before I can give him a definite answer. He refers to the people whose murders have occurred between the expiry of the Peace Preservation Act and the passing into law of the present Bill, by the Compensation Clauses of which the Government intend to abide. In the case of John Linane, it is already being considered whether something shall be given to the family of the son of the murdered man, who was present at the murder, and who has since become insane. The case has been referred to Ireland for report.

ARREARS OF RENT (IRELAND) BILL.

Mr. THOMASSON asked Mr. Attorney General for Ireland, Whether, if the Arrears of Rent (Ireland) Bill becomes Law, the Courts administering that Law will have power to call as witnesses bankers, Savings Banks' officials, and others having knowledge of tenants' affairs.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): The Court will not have power directly of its own motion to call witnesses; but before it can arrive at the conclusion that the tenant is unable to discharge the arrears, it must have satisfactory evidence to convince its judgment that that is the fact, and, therefore, may refuse to adjudicate on the question until all evidence in the case which it considers necessary has been laid before it, including such evidence as that mentioned in the Question.

RAILWAYS (INDIA)—SOUTHERN MARATTA RAILWAY COMPANY.

Sir GEORGE CAMPBELL asked the Secretary of State for India, Whether he has granted to the promoters of the Southern Maratta Railway Company a concession which amounts to a return to the system of absolute guarantee of a fixed interest on the capital for the whole period of concession till that capital is repaid; whether, while he has been able to borrow at three and a half per cent. the terms granted to this Company are four per cent. guaranteed for the first five years, and thereafter three and a half per cent. plus one-fourth of the net profits, with power to the Company to demand repayment of capital at the end of five years if the railway proves unprofitable; whether he is aware that these advantageous terms having been granted, the major portion of the shares are appropriated by the promoters without being offered to the public, while the remainder are offered to the public on very short notice, for one day of six hours only; and, whether the arrangements made have been made with the concurrence of the Government of India?

THE MARQUESS OF HARTINGTON: To answer the Questions clearly it is necessary to make a short statement regarding the causes which have led to the concession made to the promoters of the Southern Maratta Railway. By the recent Treaty with Portugal, the Government of India is bound to construct a Railway from the Portuguese Frontier to its own system of Railways to connect it with the Portuguese line which is being made. It was doubtful whether such a line could be made as a productive work; and the Government of India strongly urged that it should be made as part of a system embracing lines needed for the protection of the Southern Maratta country from famine. Hence the work could not be constructed under the usual rules, according to which money may be borrowed for works likely to be remunerative, while it would absorb the whole provision for protective works for nearly five years. In order, therefore, to fulfil the political and administrative obligations of the Government, it was determined to take advantage of an offer made that a Company should be formed to raise the money and to construct and work the line. The rate of interest promised to the Company was limited to 3½ per cent, being the rate at which the Government might probably raise a loan; and, in order to give the Company every inducement to be economical in first construction and in working, they were allowed one-fourth of the net receipts. It was, however, found that this was insufficient to attract investors, unless some security were given of a return of 4 per cent in the early years of the line; and, therefore, an assurance has been given that the Company shall receive, at least, 4 per cent, including their share of net receipts during the first five years. The Company may demand repayment of their capital on giving a year's notice. The Secretary of State declined to give a concession to the Company until he had reasonable assurance that the money would be subscribed; and hence one-half of the shares were taken up without being offered to the public. The general concurrence of the Government of India was obtained before the negotiations were completed, although all the details could not be communicated to them in anticipation. As compared with the system under which State Railways are usually made, the effect of the arrangement is that the money is raised by private capitalists instead of by the direct agency of the Government, and that the line will be constructed and worked without adding to the Government establishments, in return for which advantages the Government undertakes for the first five years to make up the Company's share of net receipts to ½ per cent, and to resign one-fourth of the net receipts to the Company. Should the Company claim their money back, it may become necessary to apply to Parliament for power to raise a loan for the purpose; but, in order to leave free the discretion of Parliament, power has been taken to repay the Company in India in rupees. The principal points of difference between the arrangement now made and the old guarantee system are that the Government is the sole owner of the line, so that all conflict of proprietary rights is avoided; that the Company have no inducement to spend more capital from the fact that the interest thereon is guaranteed, but, on the contrary, every incentive to economy as affording them a larger amount of net receipts; and that the Government can, after the first 25 years, at specified periods, pay off the Company by giving back the precise amount received, without any bonus for the improvement of the property. The concession, therefore, differs in several important respects from those made to the old guaranteed Companies; but it must be understood that the Government of India has come under no pledge to adopt even this limited system of guarantee as a general principle. The case was an exceptional one, partly in consequence of the liabilities incurred under the Treaty with Portugal, partly in consequence of the strong opinion of the Government of India of the necessity for protection against famine in these districts. It has been considered on its own merits, and will not necessarily form any precedent in other cases.

General Sir GEORGE BALFOUR asked if the capital of the Company was limited or unlimited; and, in the event of its being insufficient, what measures would be taken to complete the line?

The Marquess of HARTINGTON said, he was afraid it was impossible for him to go into the full details of the case. He had stated that the Company had not provided sufficient capital, and it became necessary for the Government to take care that the capital was sufficient.

NAVY—H. M. S. "INFLEXIBLE."

Sir EDWARD REED asked the Secretary to the Admiralty, Whether it is true that Her Majesty's ship "Inflexible," which was originally proposed to Parliament at an estimated cost (for hull only) of £401,000, had actually cost, in March 1879, £632,680, and, in the terms of a Report of the Accountant General of the Navy, was "still reported incomplete (in February 1881), with a total expenditure for labour and material of £714,927;" and why, in view of these facts, the estimated total cost of the hull is given in the Navy Estimates of the present year as £590,013?

Mr. CAMPBELL-BANNERMAN: I propose to lay on the Table a Return showing the details of the cost of Her Majesty's ship *Inflexible,* and other particulars regarding her. In the meantime, in answer to the Question of my hon. Friend, I have to say that the first and last figures quoted by him—namely, £401,000, as the original estimated cost of the hull only, and £590,013 as the estimated total cost of the hull, stated in this year's Estimates, are correct. The actual expenditure on the hull, as shown in the Expense Account for 1881, I may add, is £589,481. The excess of cost over the original Estimate is due to many causes, which will be set forth in the Return to be presented. The other figures are also correctly quoted from the documents to which my hon. Friend refers, and represent the progress of the general expenditure on the ship, including, besides the cost of the hull, payments to contractors for machinery, and everything else connected with the ship. The total cost of the *Inflexible,* as shown in the Dockyard Expense Account presented this year, is £809,594, and the House will understand the nature of the margin by which this sum exceeds the cost of the hull when I mention two of the items composing it—namely, £125,000 for propelling machinery, and £48,000 for hydraulic gun machinery.

POOR LAW (IRELAND)—ELECTION OF GUARDIANS—CARLOW UNION.

Mr. ARTHUR O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether any complaints were made to the Local Government Board, both this year and last year, as to the action of the Clerk of the Carlow Union in withholding large numbers of voting papers from duly qualified electors at the last two elections for guardians; whether the Local Government Board has reason to believe that the election of guardians in 1881 was largely influenced by this undue exclusion of voters; whether the Local Government Board inspector has on more than one occasion made unfavourable reports respecting this clerk; and, whether the Local Government Board will order an investigation into the matters complained of?

Mr. TREVELYAN: No complaints were made to the Local Government Board last year as to the action of the Returning Officer. This year, before the annual election, a statement was made to the Board that several votes had formerly been lost in consequence of there being no means of distinguishing between proxy voting papers and papers for voting in person; but it was pointed out that an accidental interchange of voting papers did not invalidate the votes. A further question was raised this year as to the action of the Returning Officer in omitting from the voting papers the name of a person nominated for the office of Guardian. This was inquired into, and it was found that he acted correctly, as the candidate was not duly qualified. The Local Government Board have no reason to believe that the election of Guardians in

1881 was largely influenced by the undue exclusion of voters. No unfavourable reports respecting this clerk have been made by the District Inspector in 1881 or 1882. Some time before he had noticed some instances of neglect of duty; but they had no reference to his conduct as Returning Officer. The Local Government Board see no grounds for further inquiry.

LAND LAW (IRELAND) ACT, 1881—THE COMMISSIONERS' COURT—LIST OF CASES.

MR. ARTHUR O'CONNOR asked Mr. Attorney General for Ireland, If he can state in what order or by what rule of precedence the cases entered in the Land Commissioners' Courts are listed; whether alphabetically, or by ballot, or according to the date of application?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): All applications from each electoral division are sent for hearing strictly in the order in which they are received at the office of the Land Commission with two exceptions. The first exception is that an application to fix fair rent has precedence; this is done in the interest of both landlord and tenant. The second exception is that precedence is given when the holding is on an estate for sale in the Landed Estates' Court; this is done in order to facilitate the sale, because the rental of the estate must be settled before the sale can take place. The electoral division placed first on the list is generally the one lying nearest to the town in which the sitting is to be held.

ARMY—OFFICERS' CHARGERS.

MR. ARTHUR O'CONNOR asked the Secretary of State for War, Whether officers' chargers becoming lame, sick, or otherwise disabled on detachment duty at a place where no Army veterinary surgeon is stationed, may, in extreme cases, be treated at the Government expense by private veterinary practitioners?

MR. CHILDERS:- No, Sir; under the Army Circular of March, 1878, Clause 47, Sub-section 37a, no charge for the advice, medicine, or attendance of private practitioners on officers' chargers is admissible against the public.

IRELAND—THE ASSASSINATIONS IN PHŒNIX PARK, DUBLIN—THE SPECIAL POLICE PATROLS.

MR. REDMOND asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that during the Chief Secretaryship of the Right honourable Member for Bradford, special police patrols were constantly on duty in the vicinity of the Viceregal Lodge in the Phœnix Park; whether such police patrols were maintained up to the morning of the day upon which the recent assassinations took place, when they were suddenly withdrawn; and, whether he will state who is responsible for their withdrawal, and what steps he has taken in the matter?

MR. TREVELYAN: It is undesirable to make a public statement of the details of the protection afforded to Government officers in Ireland; but the lamented occurrence in Phœnix Park demands and has received a full investigation. The Lord Lieutenant has communicated his opinion to the Dublin Police authorities in a full and careful Minute. Whenever my right hon. Friend the Member for Bradford (Mr. W. E. Forster) was in Ireland adequate precautions were taken for his safety, often against his orders. When he left Ireland these precautions were discontinued. With regard to my lamented Predecessor, no precautions were taken at all. There are two considerations to which His Excellency attaches weight. In the first place, the very unexpected arrival in Ireland of Lord Frederick Cavendish was not notified to the police, and they were not aware of his coming there until he appeared in the procession and at the Privy Council in the Castle. They then looked upon him as one of the Lord Lieutenant's party, and did not take any special steps for his individual protection; and, in the next place, His Excellency takes fully into account the effect produced upon the police authorities by the fact that any special arrangements for their own protection were discouraged, and in one important particular even forbidden, by my right hon. Friend the Member for Bradford and the late equally brave and equally high-minded Mr. Burke.

MR. HEALY asked whether it was a fact that Captain Talbot, Chief of the Dublin Metropolitan Police, had habitually resided 14 or 15 miles outside Dublin; and whether he (Captain Talbot) was not informed of the murders in Phœnix Park until an aide-de-camp of the Lord Lieutenant had travelled to his residence at Shankhill with the information?

Mr. REDMOND: I may also be permitted, as this is a matter of importance to Captain Talbot, to press for an answer to the following portion of my Question:—If the Chief Secretary could inform the House whether the usual police patrols of the Viceregal Lodge were withdrawn on the morning of the lamentable occurrence in the Phœnix Park; and, if so, who was responsible?

Mr. TREVELYAN: These are Questions of which I should like to have Notice.

EGYPT (POLITICAL AFFAIRS).

Baron HENRY DE WORMS asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government has agreed with the Government of the French Republic that, in the event of the present Naval demonstration off Alexandria not attaining its object, the Sultan should exercise his rights of sovereignty in Egypt by despatching a Military force to that Country; whether, in the event of his doing so, the Turkish troops would be supported by England and France; and, if no such agreement has been arrived at, whether the task of maintaining the status quo in Egypt is to be achieved by an Anglo-French occupation?

Sir CHARLES W. DILKE: With the permission of the House, Sir, I think that it will be for the public interest that I should decline to reply to the Question of the hon. Member.

Mr. BOURKE asked the Under Secretary of State for Foreign Affairs, Whether the assurance he gave the House, that the two Western Powers feel confident that the course agreed upon with respect to Egypt will meet with the assent of all the Great Powers, and of the Porte, can still be given; whether the despatch of the Fleets to Alexandria has met with the assent of the Great Powers, and of the Porte; and, whether the Government of France has objected to the despatch of Turkish Troops to Egypt; and, if so, upon what grounds?

Sir CHARLES W. DILKE: I should be very glad to answer fully the Question put by my right hon. Friend, as the Representative of the Foreign Policy of the late Administration; but I cannot, consistently with the interests of the Public Service, answer the second or third branches of the Question. In reply to the first branch of the Question, I am happy to say that the two Governments still continue to believe that the course agreed upon by England and France, in view of what, upon the 15th instant, I called "future eventualities," will meet with the assent of all the other Great Powers and of the Porte.

Mr. ASHMEAD-BARTLETT asked, whether Her Majesty's Government had not received a protest from the Porte with regard to the action already taken by the Governments of France and England; and, whether Her Majesty's Government had not received a Note, either identical or similar in character, from the four other Great Powers, more or less in support of the Porte?

Sir CHARLES W. DILKE: As regards the latter part of the hon. Member's Question there is no truth in the statement. In answer to the first part, I may say that my reply alluded to one matter and his Question to another. My answer alluded to the action to be taken by England and France in view of what I called "future eventualities;" whereas his Question applies to the sending of the Fleet.

Mr. ASHMEAD-BARTLETT said, he could easily put his Question so as to suit the hon. Baronet. He would ask, whether it was not the fact that the protest of the Porte was directed not only against the despatch of the Fleet without the Sultan's consent having first been asked, but also against any future policy directed in the same manner without the previous assent of the Sultan as the Sovereign of Egypt?

[No answer was given to the Question.]

NAVY—NAVAL ARTILLERY—WRITERS.

Captain PRICE asked the Secretary of State for War, Whether any of the new breech-loading guns intended for Her Majesty's Navy have yet been tested, and with what result?

Mr. CHILDERS: Yes, Sir; considerable numbers of these guns, of various calibres — 25-pounder, 6-inch, 8-inch, and 9-inch—have been proved and passed into the Service. In certain cases, they have not only been proved, but tested for endurance, with satisfactory results. For instance, the 6-inch gun has fired 669 rounds, and the 8-inch 371. We are now testing the 43-ton guns, one of which has fired 114 rounds; but if the hon. and gallant Member desires more details, I think he should raise the question on the Army or Navy Votes.

CAPTAIN PRICE asked the Secretary to the Admiralty, Why the writers, Royal Navy (old system) are not allowed the advantages of continuous service as regards pension, pay, and good conduct badges; and, whether they are at present placed not only at disadvantage as compared with others of like rank, but with their juniors who are now entering the Service as boy writers?

MR. CAMPBELL-BANNERMAN: I find that this question has been more than once raised, and it has always been refused to grant to the old system writers the benefits of continuous service. These benefits would not affect their pay, and no writers of the old or new system received good conduct pay. The old system writers enjoyed the advantage of entering at once as chief petty officers, which rank the present class only attain after 10 years' service. On the whole, I cannot hold out any hope of an alteration of the conditions on which they entered the Service.

ROYAL IRISH CONSTABULARY—PAY, ALLOWANCES, &c. — COMMISSION OF INQUIRY.

MR. ION HAMILTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Report of the Commission which recently sat in Dublin, to inquire into the pay, promotion, and pensions of the Sub-Inspectors of the Royal Irish Constabulary, will shortly be laid upon the Table; and, whether it is now intended to increase the pay of the first class Sub-Inspectors who have served fifteen years and upwards?

MR. TREVELYAN: I think the hon. Member will find that the position of the Sub-Inspectors, both as regards pay, pension, and promotion, will be benefited by the adoption of the proposals which I intend to make.

NAVY—ISLAND OF CYPRUS—LARNACA INQUIRY.

MR. ALDERMAN COTTON asked the President of the Board of Trade, If he can state the reason why Admiral Grant, one of the assessors at the inquiry held by the Wreck Commissioner in December last, did not sign the annex to the Report on the "British Navy" and "Larnaca;" whether Admiral Grant made a special annex to the Report; and, if so, whether it will be printed in the usual manner; also any Correspondence arising out of the above inquiry between the Home Office, the Board of Trade, the Wreck Commissioner, and Admiral Grant?

MR. CHAMBERLAIN, in reply, said, that as it did not appear that Admiral Grant objected to the terms either of the Report, or of the annex, and as there was no expression of dissent by him within the meaning of the Act, it was thought no useful purpose would be served by printing his letter, or laying the Papers on the Table.

FISHING VESSELS' LIGHTS—THE REPORT OF THE COMMITTEE.

MR. BIRKBECK asked the President of the Board of Trade, Whether the Joint Committee on Fishing Vessels' Lights have agreed to carry out the recommendations of the Select Committee of 1880 in their entirety as regards trawlers carrying one white masthead light when trawling?

MR. CHAMBERLAIN, in reply, said, the Question was a little premature, for up to the present time the Joint Committee had not reported; but he hoped that they would shortly do so.

STATE OF IRELAND—RIOTING AT LIMERICK.

MR. ASHMEAD-BARTLETT asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the statements in the public press that a severe riot took place at Limerick on Saturday night; that the police were obliged to remain for over half-an-hour, exposed to a storm of heavy stones; that one constable is now confined to hospital from concussion of the brain, and a second constable has received "a fearful gash on the side of the head," while others were much hurt; and that, but for the interference of two priests, every policeman present would have been stoned to death —are correct; and, whether Her Majesty's Government intend to take efficient steps to protect the police, in the execution of their public duty, from lawless mobs and brutal violence, and to punish the offenders?

Mr. TREVELYAN: The statements in the public Press are incorrect; but I regret to say that two members of the Constabulary Force, in the discharge of their duty, received very serious injuries at the hands of a violent mob of some thousands of people. The two constables in question were on patrol duty. They were assaulted by a disorderly crowd. They arrested one prisoner, and when conveying him to barracks a mob assembled, stoned the police, and attempted to rescue the prisoner; both constables received wounds on the head, and the doctors considered their lives in danger. In consequence of the murderous disposition evinced towards the Constabulary by certain classes in Limerick, the town force has been increased by 24 men, and in future the patrols will be strengthened.

Mr. HEALY asked whether Mr. Clifford Lloyd had any charge of the police at Limerick, or whether the police were in charge of him; also, how many riots had taken place in Limerick since Mr. Clifford Lloyd had been there; and how many riots had occurred in a corresponding period when he was not there?

Mr. ASHMEAD-BARTLETT wished, before the Question was answered, to ask whether Mr. Clifford Lloyd was not an able and efficient public servant?

Mr. TREVELYAN: I make a very careful selection of the Questions which I can answer without Notice; but this is not one of them.

POLICE SUPERANNUATION BILL—LEGISLATION.

Colonel ALEXANDER asked the Secretary of State for the Home Department, If he can now say when he proposes to introduce the Police Superannuation Bill?

Sir WILLIAM HARCOURT, in reply, said, that a Bill for the superannuation of the police had been prepared, with the exception of one slight detail, and he hoped to introduce it shortly.

CRIMINAL LAW—CASE OF HANNAH DAWES.

Mr. HOPWOOD asked the Secretary of State for the Home Department, Whether his attention has been called to the case of Hannah Dawes, an old woman of seventy-four years of age, tried at the Alfreton Petty Sessions on the charge of being found, at 1 a.m., sheltered in a shed, and sentenced to three months' imprisonment as a vagrant; and, whether he will inquire into the circumstances of this case with a view of learning the grounds of a punishment apparently so severe?

Sir WILLIAM HARCOURT: Yes, Sir; it seems to me that, considering that in this case there was no criminal intent on the part of the old woman, the sentence was excessive, and I have, therefore, discharged her.

PRISONS (IRELAND)—TREATMENT OF PRISONERS.

Mr. M'COAN asked Mr. Attorney General for Ireland, In what exactly consists the punishment undergone by prisoners in Irish gaols sentenced to hard labour, as regards their confinement, dietary, work, and general prison discipline; and in what, in respect of all these particulars, it differs from the punishment of prisoners sentenced to penal servitude?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): I am afraid it is hardly possible to compress into the limits of a reasonable answer all the detailed information which is asked for. As to confinement, minimum penal servitude is five years, and maximum imprisonment two years. Convicts are kept in separation for nine months, and have one hour's exercise daily; afterwards they work together at Mountjoy Prison or Spike Island. A prisoner—not being a convict under penal servitude—is in separation during sentence, and has two hours' daily exercise. Convicts do not sleep on a plank bed; but prisoners, not convicts, do for one month. Convicts, by industry and good conduct, can earn remission of a portion of their sentence; a prisoner not a convict cannot. As to diet, this is settled by a regular scale of dietary for each class, which, I believe, has been laid on the

Table of the House. Both classes may be placed on bread and water for prison offences; but convicts are also liable to a reduced scale of diet, called penal diet, for misconduct. As to punishment, convicts may for gross misconduct be flogged. Prisoners not convicts cannot, under any circumstances, be flogged for prison offences. As to general prison discipline, it is, I believe, concisely summarized in this answer.

IRELAND — PRISONERS UNDER THE STATUTE 34 EDWARD III., CHAP. 1.

MR. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he has given attention to the use which is now being made in Ireland of the statute passed in the year 1360 (34th Edward the Third, chapter one), and directed against robbers, pillagers, vagabonds, and persons of evil fame; whether it is the fact that the statute in question is being systematically applied to the arrest and imprisonment of ladies, and other persons of respectable position, who are subjected to twenty-two hours' solitary confinement out of every twenty-four; whether Mr. Clifford Lloyd, and other magistrates, have refused to allow ladies, and other persons arrested under this ancient statute, time to engage counsel and prepare defence, have thereby deprived them, in practice, of the right of appeal, and have heard their cases, and sentenced them in private; and, whether the Government in Ireland intend to continue to apply the statute of Edward the Third as it has been recently used?

MR. TREVELYAN: The Act referred to is in force in England and Ireland; and magistrates, under that Act and in virtue of the commission of the peace, exercise the jurisdiction of holding to good behaviour with sureties, or committing to prison in default, persons who have rendered themselves amenable to that jurisdiction. I am aware that several persons in Ireland of both sexes have been so dealt with. Persons so committed are treated in prison as untried prisoners, and under the Prison Rules are confined to their cells for 22 out of the 24 hours. Mr. Clifford Lloyd denies having heard any case in private. [Mr. SEXTON: Several.] Most of the few bail cases in which he has acted have, as a matter of fact, been appealed against, and his decision has been upheld by the Queen's Bench. The Government are carefully considering to what ends, and under what circumstances, the Act of Edward III. should henceforward be applied.

MR. SEXTON: I shall put another Question on the subject on an early day.

RAILWAYS—STANDING ORDER 167.

MR. STUART-WORTLEY asked the President of the Board of Trade, Whether it is his intention to introduce during the present Session a Bill to give effect to the recommendations of the Select Committee on Standing Order No. 167 (Payment of dividends out of capital during construction in the case of Railways)?

MR. CHAMBERLAIN, in reply, said, in the present state of Public Business the hon. Member would agree with him that it would be undesirable to introduce a Bill on this subject, unless legislation should prove to be absolutely necessary. He was informed that the objects contained in the recommendations of the Select Committee could be mainly attained, without legislation, by an alteration of the Standing Orders.

SIR JOSEPH PEASE gave Notice that, if the right hon. Gentleman brought forward a proposal for altering Standing Order 167, he should oppose such alteration on the ground that the Standing Order was in accordance with sound financial principles, and protected the public.

NAVY — CARPENTERS' MATES — PROMOTION.

MR. BORLASE asked the Secretary to the Admiralty, Whether it is true, as appears by the Navy List, that between the 27th of October 1880 and the 3rd of March 1882, only five carpenters' mates have been promoted to the rank of carpenter, as compared with four times that number in the two preceding years; and, if so, whether he will take into consideration the case of those numerous carpenters' mates who, having been induced by hope of promotion to enter upon a technical examination in skilled labour, are at the present moment on the list of those who have successfully passed it?

MR. CAMPBELL-BANNERMAN: In answer to my hon. Friend, I have to say that the number of promotions to the rank of carpenter was for some time temporarily diminished, in order to allow the list to be reduced, for the reasons stated by my Predecessor in introducing the Estimates; the greater part of the saving thus arising being appropriated to giving the sea-rate of pay to warrant officers "in other ships." As to the second part of my hon. Friend's Question, it must be observed that, although passing an examination may be a condition of promotion, it does not give a claim to receive promotion, and that passing such an examination as is alluded to is likely to lead to advantages in pay, even when it is not followed by promotion to warrant rank.

RUSSIA—PERSECUTION OF THE JEWS.

BARON HENRY DE WORMS asked the Under Secretary of State for Foreign Affairs, Whether any report has been received by Her Majesty's Government in confirmation of the telegram published by the French papers stating that Smargon, a village in Russia, has been destroyed by fire, and that the Jewish children were burnt one by one by the populace in the Jewish cemetery of the village?

SIR CHARLES W. DILKE: No, Sir; we have received no confirmation of the newspaper paragraph in question.

BARON HENRY DE WORMS asked whether the Consul General had reported; or whether instructions had been given to him to report?

SIR CHARLES W. DILKE: I will ask the hon. Gentleman whether he thinks the paragraph in question worthy of credence? We have every reason to believe the paragraph is totally unworthy of credence.

MEXICO—DIPLOMATIC RELATIONS.

MR. BUXTON asked the Under Secretary of State for Foreign Affairs, Whether, considering the increasing population and prosperity of Mexico, the Government have under consideration the advisability of resuming those diplomatic relations with that country which have been dropped since 1867?

SIR CHARLES W. DILKE: Her Majesty's Government have had this matter under their consideration; but the confidential unofficial conversations which, as I have informed the House, have taken place between Her Majesty's Ambassador and the Mexican Minister at Paris have not hitherto had any result.

TITHE AVERAGES—LEGISLATION.

MR. SCLATER-BOOTH asked the President of the Board of Trade, Whether he will introduce a Bill in the course of the present Session to alter and amend the mode by which the tithe averages are now computed?

MR. CHAMBERLAIN, in reply, said, that in two previous Sessions he introduced a Bill on this subject; but it was blocked by an hon. and gallant Member on the other side of the House. This was a subject to which, in the present state of Public Business, it was impossible for the Government to give any precedence. Unless he were assured that the Bill could be taken after half-past 12, he did not think it would be any use to introduce a Bill during the present Session.

WAYS AND MEANS—INLAND REVENUE—THE CARRIAGE DUTIES.

MR. HORACE DAVEY asked Mr. Chancellor of the Exchequer, Whether he will favourably consider the exemption of vehicles, bonâ fide used by medical men for the purpose of their profession, from the increased tax on carriages?

MR. CARBUTT asked the right hon. Gentleman, whether he would also give his favourable consideration to the question of the exemption of vehicles used by undertakers?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GLADSTONE): Both of these Questions have been brought under my consideration, even before the appearance of the one and the indication of the other. I am bound to say that I do not see, from the best examination I can give, that the proposal of Her Majesty's Government can be improved by the introduction of any new exemptions into the law. The House will have to consider it as a matter of policy, and, with that object in view, I do not see my way, as at present advised, to making the exemptions proposed.

TURKEY IN ASIA—SMYRNA QUAYS.

MR. W. H. SMITH asked the Under Secretary of State for Foreign Affairs, If he will state to the House the present condition of the negotiations with reference to the Smyrna Quays concession; and, whether Her Majesty's Government will be prepared to insist on the retrocession of the 100 pics of free landing space, for the use of the commercial community of Smyrna, in the event of the rejection by the Porte of the proposals of Major Trotter for a reduction of the Quay dues?

SIR CHARLES W. DILKE: I believe that the Porte is about to accept the arrangement in regard to the Smyrna Quay dues proposed by Major Trotter and Portugal Effendi, and that it will also be accepted by the new British Company.

PARLIAMENT—BUSINESS OF THE HOUSE.

SIR STAFFORD NORTHCOTE asked the Prime Minister whether he could give the House any information as to the conduct of Public Business?

MR. GLADSTONE: The right hon. Gentleman has only anticipated what I was about to say, because I was, in fact, pledged to do it. I have made the best inquiries in my power with reference to the convenience of Gentlemen belonging to all sections of the House. What I find is, that a very large number of Members have as usual, quite naturally, made their arrangements for removal from town for a few days. The effect of that will be that I am obliged to abandon the intention to ask the House to sit on the days customarily appropriated to the Holidays; because, although it might be possible to make a House through the exertions of the Government, it would not be possible to make such a House as ought to be in attendance to consider a Bill of the extreme importance of the Prevention of Crime Bill. I am bound to say that I am very much influenced in having come to that conclusion by the fact, which I am very glad to admit, that, although there has been a good deal of discussion on this important Bill, I do not think there has been anything of which we can fairly complain as Obstructive discussion. I have great confidence that that may continue; at any rate, I will not anticipate the reverse. I propose, therefore, that we shall have a Morning Sitting to-morrow, and adjourn at 7 o'clock until Thursday in next week, making all the progress we can with the Prevention of Crime Bill between the present time and to-morrow at 7, and hoping that we may get into Committee on the Prevention of Crime Bill in the course of this evening.

SIR STAFFORD NORTHCOTE: Does the right hon. Gentleman propose to go on with the Prevention of Crime Bill as the first Order on Thursday next?

MR. GLADSTONE: Yes, I think so. I think that is the proper course to be pursued. I will at the proper time ask for a Morning Sitting at 2 o'clock to-morrow.

MR. O'DONNELL asked that, inasmuch as many hon. Members had to return to town from a considerable distance, the Prevention of Crime Bill might not be taken on Thursday.

MR. GLADSTONE said, he was, reluctantly, compelled to state that he could not answer this request in the affirmative. It would be their duty to proceed with the Bill on Thursday next.

POST OFFICE (TELEGRAPH DEPARTMENT)—REIGATE AND REDHILL.

MR. FRESHFIELD asked the Postmaster General, If his attention has been directed to the very imperfect and unsatisfactory telegraphic arrangements between the towns of Reigate and Redhill, in the county of Surrey; these places are less than two miles apart, and contain eight thousand and ten thousand inhabitants respectively; they used, until lately, to be united by a wire, but now all messages between them and the surrounding populous towns and villages have to make a circuit of fifty miles, and are subject to much delay and uncertainty, having to pass through a busy London office; and, whether he will 'cause measures to be taken to remedy this evil?

MR. FAWCETT: In reply to the hon. Member, I have to state that the system of wires in the neighbourhood of Reigate and Redhill has recently been under consideration, and it has been decided to make certain improvements. Under the new arrangement, Reigate will have a communication with Redhill by a direct wire.

CRIMINAL LAW—MICHAEL DAVITT'S SPEECH AT MANCHESTER.

MR. GORST asked the Secretary of State for the Home Department, with reference to his answer to a Question on Tuesday last, Whether he was now aware that the speech delivered by Michael Davitt in Manchester was prepared in manuscript, and copies handed to the reporters, and that the reports in the Manchester papers were therefore identical; and whether Mr. Davitt's statement that he had already broken the conditions of his ticket-of-leave was correct; and, if so, what steps the Government proposed to take under the circumstances?

Mr. PARNELL asked the right hon. Gentleman, before he answered the Question, to state whether he had also seen in the speech of Mr. Davitt, reported in the Manchester papers, a passage, which after referring to the stand taken by several Englishmen in the House and outside the House in favour of the liberties of Ireland, proceeded as follows:—

> "Should we not endeavour to multiply such advocates here in England? It is easy to accomplish. It needs no sacrifice of principle or national aspiration. It calls for nothing but what it is our moral duty to perform, our best policy to pursue. Let outrage cease in Ireland. Let no suspicion of sympathy on your part here in England be made to arise at any act, great or small, that receives justification from past events in the history of our country;"

and whether Mr. Davitt's speech did not also contain many other passages of a most clear and unqualified character, denouncing and repudiating outrages of any kind in Ireland?

Sir WILLIAM HARCOURT: I have seen no report in any Manchester paper of Davitt's speech. [An Irish Member: Mr. Davitt.] I have nothing to add to the answer I gave the other day to a Question put to me upon the same subject by the hon. and learned Member for Chatham; nor do I think, in my position, it would be at all proper that I should enter into anything like commentary on that speech.

EGYPT (POLITICAL AFFAIRS) — THE FLEET AT ALEXANDRIA.

Mr. G. W. ELLIOT asked the Under Secretary of State for Foreign Affairs, Whether the ships sent to Alexandria were of such a draught that they were able to enter the port; and, if so, whether they were now riding inside the port?

Sir WILFRID LAWSON asked the Under Secretary of State, Whether he

could now state what opportunity the House would be afforded for expressing an opinion as to the policy of our intervention in Egyptian affairs before the British Fleet was called upon to take action?

Sir GEORGE CAMPBELL inquired Whether the Fleet was in the harbour of Alexandria, or in the Mediterranean Sea?

Sir CHARLES W. DILKE said, he could not answer the Question of the hon. Baronet (Sir Wilfrid Lawson) without Notice. As to the Question of the hon. Member opposite (Mr. G. Elliot), that was one which could be more properly answered by the Secretary to the Admiralty; but as the hon. Gentleman was not at present in his place, he would state that the English and French ships consisted of two iron-clads, two smaller ships, and two gunboats; they were inside the port of Alexandria at the present time, and had been selected as having such draught of water as would enable them to enter the port.

Sir H. DRUMMOND WOLFF asked whether it was true, as reported in the papers, that British subjects had left Cairo in alarm for Alexandria?

Sir CHARLES W. DILKE: I have not heard that that is the case.

CRIMINAL LAW (IRELAND) — TRIALS FOR TREASON.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant for Ireland, How many trials there had been for treason and treason-felony in the last 10 years in Ireland; how many convictions, disagreements, and acquittals; and if he would give the same information for the last 12 months as to the other classes of crime which it was proposed to make triable by Judges under the new Coercion Act?

Mr. TREVELYAN: I have received reports in reference to this Question from all the Crown Solicitors in Ireland, from which I find that in the last 10 years there have been no trials for treason or treason-felony in Ireland, but there have been two prosecutions for conspiring to hold seditious courts. These are the only cases coming at all within the first paragraph of the hon. Member's Question. In one of these cases, which occurred in County Kerry, seven persons were proceeded against, but the prosecution was finally allowed to drop. The other prosecutions took place in County Clare. Eight persons were indicted and tried, two were acquitted, and the jury were discharged without finding a verdict with regard to the other six. The case against them was afterwards allowed to drop. The other Return, I am sorry to find, was issued in such a shape as not to give the information in a sufficiently clear form. I have corrected the Return and desired the answers to be sent in as soon as possible. As to the other classes of crime mentioned in Section 1 of the Prevention of Crime Bill—namely, murder or manslaughter, attempt to kill, aggravated crime of violence against the person, arson, and attack on dwelling-house, I find that in the last 12 months throughout Ireland there have been 408 trials for these offences, at which 410 persons were convicted, 229 persons were acquitted, and in 34 cases the jury disagreed; but in these Returns, in the first place, the Winter Assizes have been, to a great extent, included; in the second place, agrarian crime has not been distinguished from other crime, and they, therefore, have no relation to the Bill now before the House.

ORDERS OF THE DAY.

PREVENTION OF CRIME (IRELAND) BILL.—[BILL 157.]

(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. ADJOURNED DEBATE.

[THIRD NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [23rd May], "That Mr. Speaker do now leave the Chair."

And which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "while this House is desirous of aiding Her Majesty's Government in any measures which they can show to be necessary to adopt for preventing, detecting, and punishing crime, it disapproves of restrictions being imposed on the free expression of public opinion in Ireland,"—(*Mr. Joseph Cowen,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

MR. PARNELL: I hope the House will permit me very briefly to refer, in the first place, to an impression of an unfavourable character, which appears to have been created among many Members on both sides of the House by the speech of my hon. Friend the Member for Tipperary (Mr. Dillon) yesterday. I am bound to say that I think the impression which has been created, and the inferences that the Prime Minister drew in his speech from the remarks of my hon. Friend, were not warranted by the speech itself; although I think it is exceedingly natural that both the Prime Minister and the House generally should have drawn the inferences they did from many passages of that speech, and from its general nature and context. I can only say that the impression which, I am informed, my hon. Friend has created in the House, and the impression evidently created on the Prime Minister, was not the impression created by my hon. Friend upon the hon. Member for Roscommon (Mr. O'Kelly) and myself when we were his Colleagues in Kilmainham Prison. I should not have touched on a delicate matter of this kind were it not that a letter of mine, conveying this impression, has since become public property. What was the impression which the hon. Member appears to have conveyed to the House yesterday? In the best report I can find of his speech he is made to say—

> "That if the Government should announce in the House their intention to have done with coercion, and at the same time to pass a measure similar in character to the Bill introduced by the hon. Member for New Ross (Mr. Redmond), he believed such a condition of things would then be brought about in Ireland as would give them every reason to hope that they could conduct the agrarian movement within the land to a satisfactory conclusion without violence, without discord of any kind. He never for one moment, either in private or in public, and, as far as he was aware, none of his friends, had ever represented that the passing of an Arrears Bill would be a settlement of the Land Question. What he did say was that the Bill introduced by the Irish Members, prominent in which was a clause dealing with arrears together with a binding announcement on the part of the Government (and this was essential) that they would definitely abandon the policy of coercion, would place them in a position in which they could confidently say that in a few months their country would return to peace, and that outrage would entirely disappear."

And then my hon. Friend, after some passages in his speech which I shall not weary the House by quoting, went on to defend the practice of "Boycotting," and, taking these passages, and the subsequent passages of the speech together, the Prime Minister appears to have supposed that my hon. Friend meant that while exertions would be used to prevent outrages, intimidation would be persevered in until the Land Question was permanently settled. Now, Sir, knowing as I do the feelings and sentiments of my hon. Friend, I am bound to say that I do not think he intended to convey any such impression. I do not think he intended to convey the impression that our exertions to prevent outrages would be dependent on the passage of the Arrears Bill, or that any illegal course in the shape of intimidation would be either entered into or persevered in pending the final settlement of the Land Question. Our views in prison since the marked increase of outrages had been that it was most desirable that the country should be tranquillized and the movement kept within the bounds of moderation; and we held during these months many anxious consultations as to how we were to contribute towards those ends. In addition, we did what little we were able to do in our position to tranquillize the country and moderate the excitement of the people; and this was months before our release was thought of, or any certainty had appeared of the settlement of the Arrears Question. But subsequently, when a settlement of the Arrears Question appeared likely, I did not deem it my duty to conceal from my Friends that, in our judgment, this settlement, with a fair prospect of remedial legislation of a practical character afterwards, would enormously contribute to the pacification of the country. And why, Sir, did we think this? Because we hoped that the settlement of the Arrears Question, which has been proposed by the Prime Minister, would have a material effect in stopping unjust evictions for a while; and that the permanent legislation we then hoped for, and still hope for, would, to a certain extent, lead to a gradual transfer by purchase, on fair and equitable terms, of the soil of Ireland to her people; and that evictions would in this way be permanently put an end to. I know of nobody connected with the Land Question who expects that the tenants of Ireland can obtain the ownership of their farms otherwise than by fair purchase. That was the original object of the Land League movement. Our efforts were to be directed—firstly, to putting an end so rack-renting, eviction, and landlord extermination; and, secondly, to enabling the tenant farmers to purchase their holdings upon fair and equitable terms. Neither my hon. Friend the Member for Tipperary, nor Mr. Davitt, expects that the tenants of Ireland can obtain their holdings upon any other terms than by buying them. Now, Sir, perhaps I may be permitted to refer to a speech which I delivered at the commencement of this movement in Ennis in the autumn of 1880, which has been often quoted. I then recommended for the first time what has been roughly described as the practice of "Boycotting." In that speech I recommended that persons who took farms from which other tenants had been unjustly evicted—I believe there was some difference between the Government and myself as to whether I used the word "unjustly" or not; but whether I used it or not I intended to have used it, and I used it in subsequent speeches—that persons who took farms from which other tenants had been unjustly evicted should be isolated and placed in a species of moral "Coventry," and I used the expression that they should be left "severely alone." I desire, Mr. Speaker, to admit to the fullest extent that the practice of "Boycotting," which grew up subsequently to that speech, has been very much abused. It has been used not only against persons who robbed their neighbours by taking their holdings from them after they had been unjustly evicted—robbed them of their tenant right, which had not then been conferred by law, but which has since been recognized and conferred by law—but it has been used against persons who refused to join the Land League, who refused to illuminate their houses, and who refused to subscribe to various popular movements. It has been used in a variety of other ways which merit the severest, the most stringent condemnation. I agree with my hon. Friend the Member for Tipperary that what I then recommended in that speech at Ennis would not have been legitimate in a country where the law protected the interests of the poor as well as those of the rich. It would not have been permissible to have recommended it in a self-governed country. But the House must reflect what were the circumstances which then existed in Ireland, and what was the position in which the tenant farmers were placed. They had just passed through three seasons of extraordinary and exceptional severity, when many thousands of them — probably 100,000 of the tenant farmers of Ireland —were only kept from actual starvation by the charity of the world. The right hon. Gentleman the Prime Minister and this House had, in the Session of 1880, which was then over, made an ineffectual attempt to protect those men from extermination. That attempt had been frustrated by the action of the House of Lords. Were we to stand by and do nothing—to allow these people to be evicted in their thousands, as they undoubtedly would have been if we had not done something? Our method was, perhaps, a rough one; but it was necessary that rough measures should, under the circumstances, be employed. The Irish Land Question is a rough and thorny question, no matter which end you lay hold of. But I freely admit that means which were recommended then would not be permissible or allowable if the immediate object at which the Land League aimed—namely, the protection of tenants from rack-renting, eviction, and landlord extermination, could have been arrived at by the ordinary process of law. We are now in this position. We are promised an Arrears Bill, which, if it be carried as it has been printed and read a second time, will undoubtedly temporarily protect the small tenants of Ireland from unjust evictions. I should have looked upon that step as an enormous advance, an enormous safeguard. It would have given time for the further consideration by the Government of what steps could be taken for the development of the Act of last Session for its more speedy bringing into effect, for the more speedy protection of the tenants under its operation. It would have given all parties in the contest a breathing time—a breathing time which, I venture to say, and which both my hon. Friends who were with me in Kilmainham concurred in believing, was very much wanted at that moment by all parties. The situation has been changed—I shall explain a little further on how much changed—by the introduction of the Coercion Bill by the Government; and I cannot help thinking that very much of the tenor and character of the speech of my hon. Friend the Member for Tipperary was due to the despair he feels in his heart at the prospect that is before Ireland and her people under the provisions of this Prevention of Crime Bill. It illustrates strangely the anomaly of the position of Ireland in this House that we are told that when that speech is made one of the results is that 30 or 40 fair-minded Englishmen who intended to assist us in modifying this Bill, in mitigating its harshness, and I would almost say its brutality, have been driven away from our side. ["No!"] That is what I am told. I myself do not wish to believe that that is the case; but I would ask the House to make some little allowance for the exigencies of Ireland, and for the position of her Members, and to remember that, after all, it is exceedingly difficult for English Members to understand the exact position of any Irish question; and if they do err, let them take care that their error be on the side of justice and mercy rather on the side of excessive coercion and harshness. If the Arrears Question had been settled, I should have advised that the movement should have been conducted strictly within the laws applicable to England and to Ireland. I am now referring to the question of "Boycotting." I do not object, Mr. Speaker, to the enforcement of any law against intimidation or incitement to intimidation; but I object to the construction of a fresh offence of intimidation unknown to your law, and which would practically make any legal or open combination impossible. I claim for the Irish tenants as much right to combine, as much right to combination, as is allowable to English workmen, and no more; and I am perfectly willing that suitable definitions in accordance with the nature of the case—in addition to the definitions of the Conspiracy Act of 1875—should be inserted in the present Bill to carry out this object. I think the Premier made an unfair deduction with reference to another passage in the speech of my hon. Friend. The passage is as follows:—

> "He (Mr. Dillon) had never denounced outrage, and never would until Parliament denounced evictions. But he had endeavoured to point out to the people that their own interests, both as regarded their good name before the

world, which had now been sadly blotted by their enemies, and the protection of their rights and the future welfare of their country, distinctly lay in putting a stop to outrage, and he had endeavoured to point out to them that a weapon lay near their hands which could take the place of outrage."

I have had no communication with my hon. Friend; but I am quite sure that he referred to "unjust" evictions. The Prime Minister went on to say that—

> "Eviction is the exercise of an undoubted legal right, which may be to the prejudice of your neighbour, which may involve the very highest moral responsibility, nay, even deep moral guilt upon the person exercising it. There may be outrages, all things considered—the persons and the facts—that may be less guilty in the sight of God than evictions. That I do not deny; but there may be evictions which are the last, the extreme, the inevitable remedy for the establishment of those legal rights on which the existence of society depends—against the man who deliberately and insolently and wilfully denies them, the man who audaciously refuses to fulfil his contract—the most equitable contract in the world—a contract under the judicial rents recently established, with money in his pocket, perhaps loaded with benefits from the man whom he defies. And in the case where the possessor of property, after exhausting every means of conciliation, is driven to make use of the powers of the law for the establishment of legal right, and perhaps to support himself and family, that man is placed by the deliberate declaration of the hon. Gentleman upon the footing of a perpetrator of outrage, and we are called upon to denounce evictions with the same sense, and even with the same unlimited scope, as we are allowed to denounce outrage."

I do not think that was the intention of my hon. Friend; and I feel certain he would regret any outrage which was committed with reference to a case of eviction where the tenant was able to pay his rent, and where the rent was a rent which was, under the circumstances of the case, fair. We have been very much blamed by various critics in consequence of the number of outrages which have happened in connection with the land agitation; but I think, when the passions of the day have passed away, it will be admitted by history that no movement of the same magnitude, involving the same extensive results, and connected, as it is, with the means of living of such a large portion of the population of the country, has ever been freer from outrage and crime than has the Land League movement. The facilities which are now given by the penny Press and by the electric telegraph for the speedy dissemination of news, the careful way in which the English newspapers dish up everything of the kind that happens in Ireland for their English readers, and a great deal that has never happened at all, brings every crime or offence connected with the Land League movement into a prominence which it never could have obtained 30 or 40 years ago. I wish the House would permit me to compare the crime which attended the movement of 1833, when the interests involved were not one-fifth of those involved in the Land League movement. The movement of 1833 was to get rid of the Tithe-rent charge—a payment amounting to about £1,000,000—and, roughly speaking, this agitation is to get rid of the payment of some £4,000,000 or £5,000,000 a-year—the difference between what the Irish tenants consider a fair rent and what the landlords consider a fair rent. The Chief Secretary gave us the other day a list of the murders which had been committed in Ireland during the last year. He said that in the year 1881 there were 17 murders. Now, in the year 1833 there were 172 murders.

MR. TREVELYAN: The list I gave was of agrarian murders. I think the hon. Gentleman should draw a distinction, though I know it is almost impossible to do so.

MR. PARNELL: Of course, it is very difficult to draw a distinction; but, so far as I can gather, murders in 1833 were committed in connection with the Tithe movement, just as the 17 agrarian murders last year were supposed to have been committed in connection with the Land League. In Queen's County alone there were in 1833, 60 murders; and in Kilkenny there were 32 murders or attempts at murder, 32 burnings of houses, 519 burglaries, 36 houghings of cattle, and 178 assaults of such a nature as to be accompanied with loss of life. The catalogue of Irish crime during that year contained 172 homicides, 455 houghings of cattle, 2,000 illegal notices, 425 illegal meetings, 796 malicious injuries to property, 763 attacks on houses, 280 arsons, and 3,256 serious assaults. The aggregate of crime during these 12 months amounted to 9,000. Yet when Parliament met it was not asked to sanction so stringent a Coercion Bill as that now before the House. In those days the state of Ireland was not so vividly brought home to the minds of the English people; and there was not the same disposition to make political capital out of such events. I admit to the fullest extent the difficulties in the way of Ministers; but I do not admit that there is any justification whatever in the present rapidly-improving state of Ireland which entitles the Government to turn aside from remedial measures, and to enter on this course of fresh coercion. The Prime Minister is losing a very great chance indeed—a chance which may not, which I fear cannot, ever come back to him, and which, perhaps, never will come to any English Statesman occupying the position of the right hon. Gentleman—certainly to no one so well qualified by his ability and grasp of mind to bring the Irish Land Question to a satisfactory termination. I believe that from the date of the Phœnix Park murders every class in Ireland—landlords, tenants, labourers—were disposed for a settlement of the question on as moderate lines as could be hoped for. I feel convinced no section of political thought in Ireland—not even the most extreme section—were desirous that the present state of turmoil and agitation should continue and be perpetual; and if the Prime Minister had been able to proceed with his Arrears Bill without loss of time, and after that to have considered on what conditions he ought to amend the Land Act of 1880, I believe it would have been possible for him to propose such a measure as would have restored peace and quiet to the country, and in a few years to have brought about a permanent settlement of the Irish Question. We have now before us a prospect of coercion; and I ask the right hon. Gentleman to consider in what position moderate men in Ireland are placed by coercion. Last year the passage of a Coercion Act threw the Land League movement into the hands of its most extreme members. This year I cannot see any other hope than that the passage of this Coercion Bill will throw everything in Ireland into the hands of secret societies. Between the secret societies on the one side, and Her Majesty's Government on the other, it will be practically impossible for any Irish politician to continue in existence. Although the Prime Minister has said that the Govermment, having proposed this measure, would not deserve to remain in Office a single week if they were now to draw back from it, I would entreat him to re-consider the situation. The Return of outrages in Ireland last week showed a diminution of 100—a very large proportion of these crimes being threatening letters and notices; and I trust and pray that this month may show a similar diminution, so as to strengthen the hands of those English Members in the House, and those Members of the Cabinet who may be supposed to be engaged in the attempt to strengthen the hands of the Government against those who are demanding vindictive and fresh coercive measures against Ireland. At all events, let the effect of the Arrears Bill be tried. There is, surely, no urgency about this Coercion Bill. You have power to imprison and keep in prison without trial whom you suspect in Ireland. You admit that many thousands of families are threatened with eviction. The passage of this Coercion Bill must be attended with a considerable loss of time, no matter how much we may desire to refrain from Obstructive opposition. I would intreat the Government not to play into the hands of the men who committed the Phœnix Park murders by persistence in their present course. The extermination of the secret societies of a country by any Code has been proved to be impossible. Russia has sufficiently drastic laws and immense power; and yet we see what happens in that country. Do not, then, shut the door in the face of those among the Irish people—the vast majority of the Irish people—who desire to see Her Majesty's Government return to Constitutional usage, and to accept any measure which may promise to be a lasting and final settlement of this much-vexed Irish Land Question.

MR. GEORGE RUSSELL said, the very remarkable speech which had been delivered by the hon. Gentleman who had just sat down would have been best replied to by a statesman of considerable experience. It was a speech surely, in all senses, remarkable, and it had been received, as it well deserved to be, with the profoundest attention by the House; and he hoped the hon. Member would allow him to say that he heard the speech with a feeling of thankfulness, for it seemed to him to be substantially, though it might not be in intention, a public act of reparation for the errors of the past. ["No!"] He did not anticipate that that remark would meet with the acquiescence of all hon. Members sitting opposite; but, nevertheless, he thought it substantially true that in the present utterances of the hon. Member, they could see the dawning of a better mind. But although the hon. Member's speech deserved the sympathetic attention which it received, it made no more change in his mind with regard to the Bill before the House than the speech of the hon. Member for Tipperary (Mr. Dillon) did yesterday. The speech of the hon. Member for Tipperary was listened to with breathless attention by the House; but it seemed to excite an amount of horror and astonishment which were entirely unwarranted. One of the hon. Member's most valuable qualities was that absolute transparency of thought and action which enabled them to see with the utmost clearness what were his ideas and intentions; and his speech yesterday was only a clearer and more emphatic statement than the House had yet heard of the views and intentions which none of them had reason to think were absent from his mind. The Prime Minister yesterday spoke of the "steeled" feelings of the hon. Member. He did not know that the hon. Member's feelings were more "steeled" than those of his Colleagues; but his utterance was more startling and outspoken. There was one part of the speech of the hon. Member for the City of Cork to which he felt bound to take exception. The hon. Member said the horrors of the Phœnix Park tragedy, the shadow of which still rested upon them all, were repudiated by every section of the Irish people. He was thankful to think that was as a general rule, and in a large sense, true; but there was a certain section, at any rate, in the City of Dublin, at the moment of the occurrence, who did not share in those feelings of horror, but manifested feelings of delight, and it was with that section that the Bill now before them proposed to deal. [Mr. GLADSTONE: Hear, hear!] He was one of those who had studied the Irish Question with profound sympathy, and who more particularly sympathized with Irish aspirations for a reasonable amount of self-government. Why, then, did he and others find themselves in implacable hostility to hon. Gentlemen opposite? Because the objects for which Irishmen were striving had been, for the last two years, sought through the agency of desperate crime. He was thankful to be able to repeat in that House what he had stated outside, that the English Liberals did not desire to charge any responsibility of the tragedy of Phœnix Park on any section of the Irish people, and least of all upon their accepted Leaders; but they must remember that responsibility for acts of that kind was not always direct and conscious. It was very often the natural growth and outcome of the teachings which, they could only believe and hope, were scattered abroad with very different objects. It seemed to him that a heavy share of responsibility rested upon any accepted Leader of the Irish people who abstained from denouncing everywhere and without conditions such crimes as those they all deplored. Surely something of the criminality rested upon those who first taught that a man must be personally punished if he would not obey the political or agrarian requirements of his neighbour; and they could not forget who first proposed that damnable doctrine that whoever did not conform to the conduct of the Land League must first be "Boycotted" and then ruined. A distinction had been drawn between agrarian and non-agrarian murders by the Leaders of the agitation; but, in England, they stood upon the doctrine that murder was equally murder and equally detestable whether it was inflicted upon a harmless official of the State or upon an evicting landlord. It was that abhorence of the crime of murder and agitation likely to lead up to it which led Liberals to the determination to support the Bill now before the House. The prevalence of crime in Ireland engaged the attention of the House last year, when the ill-fated and ill-omened Coercion Bill was brought forward; and the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) gave his assurance that the Bill was aimed at criminals upon whom the Government could lay their hands. Experience had proved that the right hon. Gentleman was mistaken. The Bill failed to bring about the arrest of the perpetrators of crime, though, no doubt, it had done great good in asserting the supremacy of the Government, and in rendering it impossible for any hon. Member to say that the League had "knocked the law of the land into a cocked hat." That Coercion Bill was now dying or dead, and they had in its place the present measure, which, to his mind, although more stringent, was less fundamentally contrary to the principles of personal liberty. To arrest a man on suspicion and keep him untried for two years was a proceeding as much opposed to the principles of liberty, and he might almost say of justice, as any he could conceive. The present Bill provided only for the speedy trial of prisoners, and, therefore, it seemed to him to be exactly what the present circumstances of Ireland required. He should be extremely glad if Her Majesty's Government could see their way to clear the Bill of even any suspicion that it was directed against political offences and political agitation, and if it could be made more plain that it was aimed only at murder and crimes akin to murder. He would like, therefore, to see some amendment made in the clauses relating to treason, except so far as that crime was connected with murder, and also in those which imposed restrictions on public speaking. As to the Press, he would give full liberty for papers written and printed in Ireland to be read by Irishmen; but the heaviest penalties should attach to the abominations from America. He found that there was no consensus of opinion in the recommendations of the Bill put forward by several hon. Members, as without such general support it would have no chance of success. It was clear the Coercion Act of last Session had completely broken down in the effort to cope with agrarian crime. It was therefore necessary that some machinery should be adopted which might prove more effective in that direction; and hence the constitution of the new tribunal now proposed by Her Majesty's Government. He should be sorry, however, to think that that provision had not been introduced into the Bill until after the murder in the Phœnix Park, as he thought the previous horrors which were so cruel had already made it clear to the Government that such a tribunal was absolutely necessary. As regards the impartiality of the Irish Judges, he had to say that if they could not impartially try the cases likely to be brought before them under the provisions of this measure, they were wholly unfit to discharge any judicial functions whatever. It was needless for him to say that with that part of the Bill he entirely agreed. A second point which met with his entire approval was the proposal to levy a fine upon any district in which a crime might be committed. Anyone who had studied Irish crime must have seen that a new character had been introduced into it, and that it had become more mercenary in its aims and its methods. If that were so, it might very appropriately lead to something like a mercenary punishment. Then, as to the right of search, it should be remembered that they were coping with secret societies; and the only chance of dealing with them effectually was the power to enter at unexpected times into unexpected places where men might meet for the planning of crime, and thus bring them more speedily to justice. He thought that Her Majesty's Government ought to remove from the Bill the provisions with regard to appeal in capital cases, for, in his view, promptness of punishment would be much more efficacious than severity. In those three main provisions which related to the suspension of trial by jury, the imposition of a fine on districts where crime had been committed, and the right of search, the Bill strongly commended itself to his acceptance. They seemed to him absolutely necessary in order to place the well-intentioned, but, for the purpose contemplated by this Bill, ineffectual Coercion Act at present in force. If Her Majesty's Government could not see their way to conceding all the modifications he desired, he would still vote for the Bill in its integrity rather than, in circumstances like the present, give it a half-hearted support. Such were the considerations which weighed with him; but the strongest justification of the Bill lay in the conviction that all means were lawful to a Government bent on stamping out a system of secret and abominable crime.

MR. ARTHUR ARNOLD said, he was quite sure there was no foundation for the imputation that the Government desired to suppress the opinions of the Representatives of large constituencies in England. The idea doubtless arose from the fact that, up to that moment, no hon. Member on his side of the House representing a large constituency had had an opportunity of taking part in the debate. But while those who had grown grey in studying Constitutional politics, and who, in and out of the House, had actively supported the policy of the Prime Minister, had had no opportunity of stating their opinions, they had been obliged to submit to be lectured by young gentlemen from the West of England upon their duty in regard to this measure. He regretted that the Amendment of the hon. Member for Newcastle (Mr. Joseph Cowen) was so vague in its terms, that, in connection with this Bill, its meaning could be hardly understood. Had it been as explicit in its references to the Press as the speeches of the hon. Member who had just down, and the Member for Southwark (Mr. Cohen), he should have felt not the slightest difficulty in giving it his support. Moreover, it was not directed to any specific part or clause of the measure; and in the speech in which it was introduced his hon. Friend gave the House no clue which enabled them to elucidate its meaning. But he did not regret that it had been moved, because it had led to a useful discussion of the Bill; and when the second reading of so important a measure had been agreed to within 24 hours, he was inclined to think that sufficient respect was not paid either to Constitutional policy, or to the people of Ireland. In reference to the expiring Act, the right hon. Member for Bradford (Mr. W. E. Forster) said—and it was the courageous utterance of a courageous man—he hoped the time had gone by for ever when a Bill of such a character could be passed quickly through that House. With great pleasure he had heard the announcement of the present Chief Secretary for Ireland, when he spoke of "the new Government of Ireland;" and he was sure he expressed the feelings of every Member of the House when he said that the right hon. Gentleman, during the short period in which he had held Office, had made a continually-increasing impression upon the House by his courtesy and ability. The right hon. Gentleman had made them regret that he lacked the one other qualification, which, no doubt he would be delighted to possess, of being an Irishman; and he had said he himself regretted that an Irishman did not hold his position. Unhappily, at this moment, it was perhaps impossible that an Irishman should hold that position; but they might be certain that every Member of the Government earnestly desired that the time might come when it should be the established policy of the country, that high offices of command in Ireland should be occupied by Irishmen. The right hon. and learned Member for the University of Dublin (Mr. Plunket) strangely forgot himself the other night when he made light of a matter of so much gravity. At this point of new departure by a new Government in Ireland, it was not unimportant that they should bear in mind a few circumstances which had led up to the present situation. They were called upon—and this had been to some extent forgotten or overlooked—not to take action as the result of a dreadful crime, but to take part in the obsequies of the Act of 1881, and to give the Government new powers. There had been an extraordinary divergence of opinion as to the character of the Bill now submitted to the House; but he agreed with the hon. Member for Sligo (Mr. Sexton), that it gave the Executive less drastic powers than the Act of last year. He was astonished when his right hon. Friend the Member for Bradford expressed the opinion that this was the most severe and most stringent coercive Bill that had ever been submitted to Parliament. It seemed to him hardly to deserve the name of a Coercion Bill, because it lacked that element which they had always considered to be the key-note of a Coercion Bill—namely, the power of arbitrary arrest, and of placing a person in prison without any hope of meeting his accuser. They must remember, in their criticism of this Bill, that although the Cabinet had lost the valuable services of the late Chief Secretary for Ireland, it remained a Cabinet of the most extraordinary authority in regard to the affairs of Ireland. He alluded to the fact that it included two Lords Lieutenant and two ex-Chief Secretaries of Ireland—a circumstance almost unprecedented in the government of the country. With regard to the main principle of the Bill, the suspension of trial by jury, there was one point of great importance which had not received any answer from the Government. The Solicitor General for Ireland alluded the other night, in justification of the employment of the Irish Judges upon this new work, to the fact that before the

Lords' Committee of last Session some eminent Judges gave an opinion not quite favourable to the present position of jury trials in Ireland. But that was not so important as the fact that the Committee of the House of Lords divided upon a clause which was almost identical with the proposals in this Bill; and the minority who objected to the suspension of trial by jury on that occasion was composed of the present Lord Lieutenant of Ireland, the Lord Privy Seal (Lord Carlingford), Lord Monck, and Lord Emly. Those four noble Lords were opposed last year to the proposals now brought forward by the Government; and he wished to hear what were the reasons which had led them to change their opinions upon so important a subject. He agreed with the Solicitor General for Ireland that they should not attach too great importance to the Judges' memorial. It was an important matter, no doubt; but the Judges were the servants of the Executive Government and of the country, and he was quite certain that if the Legislature and the Government placed upon them that important duty the memorial would practically disappear. The important question was, whether the Legislature and the Government should confer this power upon the Judges. With regard to what had been said about political offences, whilst the Government might find it impossible to withdraw from their position, he wished them to understand that it would be most repugnant to the feelings of the people to see trials for treason and treason-felony going on, conducted solely by officials of the State. The Government had made, through the Solicitor General for Ireland, considerable proposals for the modification of the Bill in regard to the suspension of trial by jury, and in other respects, which led him to hope that when the House went into Committee they would consent to further modifications of an important character. He did not hesitate to congratulate the Government that they had in this measure abandoned—he hoped for ever—the exasperating and crime-producing policy of the Act of 1881. Whilst the late Chief Secretary for Ireland sat in Dublin he exercised powers more despotic than those that belonged to any power in Europe. In other countries such authority was tempered by the fear of revolution. He hoped the day would never arrive when in any part of Her Majesty's Dominions there could be any chance of successful rebellion against the authority of the Crown. There were provisions in this Bill to which he objected; but, taking it as a whole, it was mild compared with the arbitrary measure passed last year. He had carefully examined the clause with regard to aliens, and he had read the debate which had been referred to by the hon. and learned Member for the County Mayo (Mr. O'Connor Power); but he had failed to detect the results which that hon. and learned Member had discovered. In that debate many hon. Members had their part, all of whom were entitled to respect, and many of whom possessed the veneration of the House; but he had not seen in the arguments then brought forward one that would have a precise application to the case now under consideration. What had been at that time feared in regard to aliens was not exactly the case at present; and with reference to the important clause dealing with aliens, he begged Irishmen to remember that if it should receive the assent of Parliament it would include a great resignation on the part of the people of this country of the right of asylum in Great Britain as well as in Ireland, for it was provided that an alien whom it was desired to pursue should not be able to find a resting-place in Great Britain. For his own part, he would be very glad if, in view of the powers of immediate trial which the Government proposed to take under this Act, they could find themselves able to agree to a modification of this clause; but if this should not be the case, he recognized in the state of political relations between England and the United States the possibility of some value which should not be overlooked attaching to the clause. Such language as had been used not long ago by General Grant pointed in this direction; and although he was most anxious to preserve inviolate free resort to the United Kingdom, yet he was quite certain that the men who opposed the Alien Bill in 1848 would not have desired that there should be imported into this country the followers of Mr. O'Donovan Rossa from the other side of the Atlantic. While care would be taken to exclude persons of that kind, he was quite sure that the suggestion of the right hon. Gentleman the Lord Mayor of Dublin (Mr. Dawson) on the previous day, that it would be necessary to adopt the passport system for the United Kingdom, was an utterly baseless apprehension. A possible advantage from this clause was that it might relieve this country from a difficulty with the Government of the United States. In some particulars this Bill, he thought, ought to have been the measure submitted to that House at the beginning of last year in place of the Bill which had been recently denounced, by the First Minister of the Crown himself, as invidious and offensive. There were portions of the present measure which, he believed, would be materially effective for the prevention of crime in Ireland. He had expressed a contrary opinion with respect to the Bill of last year when it was under discussion. He had occupied a position of, to himself, somewhat painful prominence in regard to that measure. In January, 1881, he had said that the Bill—

> "Would so infuriate and exasperate the Irish people that they might expect not open but secret crimes, and crimes of the most malignant and cruel character."

The right hon. Gentleman the Member for Bradford had made many predictions. He was a man who had the courage of his opinions; but he had made no prediction, he (Mr. Arthur Arnold) believed, with reference to the affairs of Ireland which had come so faithfully true, he grieved to say, as that which he (Mr. Arthur Arnold) had then made. He was certainly in favour of considerable amendment in the present Bill; but he would not apply the same prophecy to it if it were passed even in very nearly its present shape. The right hon. Member for Bradford, they knew, made memoranda of conversations. He wondered whether the right hon. Gentleman had made a memorandum of some remarks he himself had uttered before the passage of last year's Coercion Act? Firing into dwelling-houses, he had then said, indicated some inefficiency on the part of the police. His right hon. Friend asked him what he himself would do for Ireland, and he had replied—"I would have special magistrates, and an efficient police, and my police should be sometimes on the scene of outrage." Some months afterwards there were feeble and ineffective attempts to place special magistrates in Ireland. But the greatest mistake that could be made with reference to the appointment of special magistrates was to appoint five or six, and to make them a mark for the public opinion of the country. There had been of late some greater activity among the police; but there had not been throughout that great increase in their number, and that support, which they might have had from a large increase in the detective force, which, he believed, would have prevented the sad event that had placed them all in mourning. Since January last year he had not addressed the House on this subject; but he had watched the right hon. Gentleman the Member for Bradford staggering along as Chief Secretary for Ireland, with a temper which won his sympathy and respect. He could not forget one remark of that right hon. Gentleman, which laid bare the root of Irish difficulty—namely, that the worst difficulty in Ireland arose from the fact that throughout, from the Lord Lieutenant down to the humblest policeman, the whole Governing Body was accustomed to rely too much on British power. Mr. Disraeli, whose political genius he had always admired, had said in that House 40 years ago—"You have in Ireland the weakest Executive in the world—that is the Irish Question." That was the Irish Question at the present moment. The Bill now before the House gave to the Government of Ireland only factitious and temporary support. How was that Executive to be strengthened? Only by founding it upon the assent of the Irish people. He could not adequately express his admiration for the efforts which Her Majesty's Government had shown to rest the Executive Government in Ireland more largely upon the Irish people themselves; and he was sure the true way to settle what was really the Irish Question was by making the Executive Government of Ireland, instead of the weakest in the world, one of the strongest in the affection and the hearts of the Irish people.

Mr. SYNAN said, it was quite true that the Irish Executive was the weakest in the world, and it would continue to be weak so long as the present policy was carried out. An Executive must be weak that was not in harmony with the opinions of the people, that was in direct antagonism to the sentiments of the people, and that was supported by the bayonets of troops in Ireland. This measure would exasperate the people and leave the Executive weaker than before. Coercion accompanying conciliation destroyed the confidence of the people in the good faith of the Government. The hon. Member who had just sat down said it was not possible to trust the Executive of Ireland in the hands of any Irishman. That might be true, perhaps, of Liberal Governments; but the Conservatives were not afraid to intrust the administration of Ireland to Irishmen who were "garrison" men. Unless the Prime Minister, with his earnest views, adopted some policy other than that contained in the present Bill, he would leave the Irish Administration weaker than he found it, and he would be discredited, not in Ireland only, but all over the Empire. With regard to the proposed abolition of the jury system, he might observe that this was not the first time Ireland had been treated in that manner. Under the Insurrection Act a Commission used to be appointed, which was presided over by a distinguished counsel, either a Serjeant or a Queen's Counsel, who, with the magistrates, tried the cases. They had the power of empannelling a jury; but they never exercised it. What was the result of that system under the Insurrection Act, which terminated in 1825? He would trouble the House with the figures, in order to show that no good could come of the provisions of this Bill in the way of preventing or punishing crime. The statistics of acquittals and convictions in Ireland during a period of 10 years under the Insurrection Act and under the ordinary law were as follows:—Under the Insurrection Act there were 1,597 committals, 1,340 acquittals, and 256 convictions; while, under the ordinary law, there were 305 committals, 170 acquittals, and 135 convictions. Consequently, the Government secured three times more convictions under the ordinary law than they did under the Insurrection Act. Did the Government expect to get as many convictions under this Bill as they did at the Cork Winter Assizes? If they did, they never were more mistaken in their lives. He considered that the protest of the Irish Judges ought to be attended to. If, after the protest they had made, a decision were come to contrary to the opinion of the neighbourhood and the country, was it likely that the suitors would have the same confidence in them as before? If they made mistakes they would render a Court of Justice in Ireland intolerable. The Solicitor General for Ireland had referred to the Election Judges as an analogy. But that was only apparent. The questions before Election Judges were mixed questions of law and fact; and even in that case an Irish Judge sent a member to that House in the Galway case who had only 500 votes out of 6,000. The Solicitor General for Ireland said that this Bill was milder than many previous ones, and he referred to the Act of 1833. But that Act established martial law, and the opinion of eminent men in Ireland was certainly not favourable either to that Bill or to the present one. This Bill might not inaptly be termed an Omnibus Bill. The Government had dipped into every previous one, and taken the most objectionable parts of them, in order to construct the Bill then before the House. So far from being the mildest, it was the most drastic that had ever been introduced. If, however, it prevented crime he should be glad, indeed; but, in his opinion, it would have no such effect. The Solicitor General for Ireland said the law required changing, not so much because they could not get verdicts, but because they were unable to get evidence. But how would that Bill enable them to get evidence? There were two causes of the absence of evidence—first, the sympathy of the witness with the crimes; and, secondly, the fear of injury to himself. The first would be more active in trials before Judges than in the trials before juries. The second would be equally powerful in both cases, so that this Bill, instead of getting more evidence, would get less. He must say that, unless the Bill were modified considerably, it could not receive the support of Irish Members. Turning to the subject of the Irish Press, he denied that Mr. O'Donovan Rossa's organ was an exponent of Irish opinion. Surely the Irish Press might be left to the control of the ordinary law, instead of being placed under the despotic sway of the Lord Lieutenant. He protested against the abolition of the right of public meeting in Ireland. The Solicitor General for Ireland had said that the Bill would do no harm to any law-abiding Irish citizen; but would it do no harm to any man to suspend his liberty? The most precious gift a man had was his liberty, and if it were taken away from him, the result would be that the people would become rebels instead of loyal subjects. Hitherto, when a fine was placed upon a district in Ireland in which an outrage had occurred, its amount had been assessed by the Grand Juries; but now the power of assessment was to be transferred to the Lord Lieutenant. The truth was that, instead of the Government having availed themselves of the resources of civilization, they had fallen back upon pure barbarism; and, in his opinion, if the Irish Members could not substantially change the character of this measure in Committee, they should give it their most strenuous opposition.

Sɪʀ JOHN HAY said, that on the night when the right hon. Gentleman the Member for Bradford announced his resignation of Office there stood upon the Paper in his (Sir John Hay's) name a Notice of Motion which, he believed, would have been useful, inasmuch as it condemned the action of the Government in keeping 500 persons in gaol without trial. He, however, had no idea, when he placed that Notice of Motion upon the Paper, that there would have been so speedy a gaol delivery without any prisoner being called upon to clear his character in open Court. The condition of Ireland was, doubtless, such that it was impossible to submit charges against persons suspected of being implicated ino utrages in that country to the decision of Irish juries. He welcomed this measure as one that would do substantial justice, and would do away with the great evil which, he thought, was incident to the Protection of Person and Property Bill, prolonged imprisonment without trial; and he hoped that Act would be repealed when this Bill became law. He should, therefore, give it his cordial support, and he hoped that it would become law as soon as possible. He did so, not because he had any peculiar confidence in Her Majesty's Government, or in their ability to restore peace and order in Ireland, because he thought that no measure but emigration would insure the peace and prosperity of Ireland; but it might restore respect for the law in that country. He should have desired to amend the Amendment of the hon. Member for Newcastle (Mr. Joseph Cowen), by omitting the latter part of it, and adding to it words to the effect that the House disapproved of placing the responsibility of enforcing the law in Ireland upon the Lord Lieutenant, instead of upon the Home Secretary, as the Representative of Her Majesty's Government. He would allude to two points in which the Bill deserved attention. In his opinion, it had been clearly shown that there was a necessity for suspending trial by jury in Ireland. The hon. Gentleman who had just addressed the House asked whether in Scotland they should like to have jury trial suspended? The condition of Scotland, he was happy to say, was not exactly the same as that of Ireland, although in 1745 the condition of Scotland was very much like the condition of Ireland now. The proposal to suspend jury trial in Ireland was fully justified by the Report of the Committee presided over by Lord Lansdowne. He believed that the appointment of a Committee of three Judges who must be unanimous was an infinitely better process for obtaining conviction, if conviction were desired, and, at any rate, for giving confidence to the country and just decisions, than a court martial could be under the circumstances. He spoke with some degree of authority on this point, as he had sat on many courts martial. He was well aware that no Court could more truly and fully investigate matters brought before them than a court martial. Their honour was beyond dispute; but with the officers who would be called upon to investigate as to political offences things were altogether different. He believed the civil law would give most satisfaction to the country. There was also another point to which he thought it desirable to refer, as showing that it would not be prudent that courts martial should be used for civil trials. They knew the difficulties that existed in that House for establishing martial law. They remembered the unfortunate circumstances which occurred not so long ago in Jamaica, where arbitrary law was enforced in a manner repugnant to the whole public opinion of this country. It was better, as far as possible, except in time of war, to confine courts martial to discipline in the Army and Navy. He should be exceedingly sorry, in the interests of the Service, if martial law were introduced into Ireland. He was of opinion that it would be unwise to place the whole power given under this Bill in the hands of the Lord Lieutenant, although he believed no better appointment than that of Earl Spencer could be made, under all the circumstances of the case. But he thought it was most unfortunate that power of this kind should be placed in the hands of any one man. The power ought to be administered from the Home Office. An Amendment to that effect had been placed on the Paper by the hon. Member for Dungarvan (Mr. O'Donnell), and if it came to a vote he should certainly support it. He was one of those who had long held the opinion that the Office of Lord Lieutenant of Ireland ought to be abolished, and he was justified in that opinion by what occurred in that House 32 years ago. At that time Lord John Russell, who was the Prime Minister of the country, introduced a Bill for the abolition of the Office of Lord Lieutenant, and he was supported by Sir Robert Peel and Lord Naas; and, on looking over the Division List, he found that the right hon. Gentleman the Prime Minister voted for the Bill. The Duke of Wellington, speaking on the subject, said the Lord Lieutenant ought to be the servant of the Home Office. Lord Naas said he should rejoice at the change. Lord Lansdowne said great evils arose from the divided nature of the authority of the Lord Lieutenant and the Home Office. The fact was, if the affairs of Ireland were directed as the affairs of Scotland were directed, they would, he believed, have no trouble at all. It might be necessary to have great emigration, which, in common with the hon. Member for the Falkirk Burghs (Mr. Ramsay), he would strongly urge. The management of Irish Business, if conducted through the Home Office, would give a uniform system of law and order, and there would be no complaint that one country was treated differently from another. For these reasons, if the hon. Member for Dungarvan proceeded with his Motion, he should vote for it; and he should be glad to see the Lord Lieutenant return to this country, and all the Papers and documents removed from Dublin Castle to the Irish Office in London. It was also an unfortunate thing that the affairs of Ireland could not be managed by Irishmen. He should like to know what would be said in Scotland if the Lord High Commissioner, who had just gone down to take his place in Edinburgh, were an Englishman or an Irishman? Or if the noble Earl who represented Scotland at the Home Office were an Englishman or an Irishman? Why, he was bound to say that there would not be a rebellion in Scotland, but that they would treat such a matter with so unanimous a feeling that the 60 Scottish Members would unite in forcing any Government to change anything so entirely distasteful to the people of Scotland as that its business was conducted by anyone but Scotchmen; and he should like to see the affairs of Ireland conducted by Irishmen. It was true that in the Cabinet there was one Irishman; but there was no Irishman of Cabinet rank in the House of Commons. He was also bound to say that, looking to the condition of Ireland, he thought it was a great misfortune that in the whole Cabinet, for the first time in history, there was not a single soldier to advise the Cabinet upon matters on which he might give authoritative expression. He had given Notice of an Amendment himself, on Clause 12 of the Bill, on which he would beg to say a few words.

MR. SPEAKER: I must point out to the right hon. and gallant Gentleman that to discuss an Amendment of which he has given Notice is a function for the Committee.

SIR JOHN HAY said, that he was not going to discuss the Amendment, but merely, in passing, to say that the Alien Clause should, in his opinion, be extended to the whole country. He would only add, in conclusion, that he intended to vote against the Amendment, and to give the Bill a general support.

MR. MELLOR said, he must congratulate the House on the altered tone of the discussion in comparison with that of the previous day. He thought great injustice had been done to the Liberal Party in reference to the Bill, and that something was due to English and Scotch constituencies, who, during the last two years, had allowed their most pressing Business to remain at a standstill. If any good resulted from it for unfortunate Ireland, they would not regret the sacrifice. He could not understand why the Bill should be called a Coercion Bill. There was no ground for so describing it, for everyone who might be arrested under its powers must be brought to a speedy trial. After the attempt to assassinate the Duke of Edinburgh, in 1868, the free Colony of New South Wales, with its Democratic Assemblies, enacted a measure more stringent in many of its provisions than the present Bill, and, as a consequence, freed itself of the presence of secret societies. By the 8th section of that Act quite as extensive powers of search for arms and papers were given as in the proposed Act. By the 9th section it was provided that if anyone used any disrespectful language to the Queen, or factiously avowed a determination to refuse to join in any loyal toast, or by word or deed expressed sympathy with the crime of any person convicted of treason-felony, or even suspected of it, such person should be guilty of a misdemeanour, and be liable to be imprisoned and kept to hard labour for two years, and might be apprehended by any person without any warrant. By Section 10 any person writing or publishing any of the matters declared criminal in Section 9 became liable to imprisonment with hard labour for three years. If a free Colony could pass such an Act, why should not the Imperial Parliament agree to a measure for the protection in Ireland of persons who could not protect themselves? If any other part of the United Kingdom were in the same position as that in which Ireland was, a measure somewhat similar to that before the House would undoubtedly be passed to meet the emergency. If you allowed people to think the law was powerless for protection you would find they would never do their duty as jurors or as witnesses; but if you satisfied them that the law could protect them from intimidation you might rely upon their doing their duty in every state of life. He thought the provisions for dispensing with a jury were very valuable. He had never felt a superstition for trial by jury. The object of a trial was to convict guilty persons. Often in times of great excitement, or when people could not carry on their ordinary business by reason of terror, juries would not do their duty. They would go to one extreme or the other. They would either convict everybody or they would acquit everybody. The Bill proposed that cases should go before a Commission of three Judges. He could not believe that any honourable man who had seriously thought upon the matter would in calm moments make an attack upon the Irish Judges. He had always heard them spoken of in terms of the highest praise. The Judges before whom these cases were tried would deliver judgments; their decision would not be that of a secret tribunal in a private room. They would deliver judgments according to the rules of evidence and of law. He thought that was of the very essence of the matter. Every accused person would be surrounded by the safeguards of the rules of law and of evidence. What everyone wanted was a fair decision according to law. What innocent man, if he were offered the choice of being tried on a charge before a jury or a Commission of three Judges, would, if he was in his senses, hesitate for a moment to be tried by three Judges? The Bill provided another safeguard—the right of appeal. But the power of appeal, he thought, was too extensive. To his mind there should only be an appeal where the Court thought there ought to be an appeal. Judges exercised their discretional powers very satisfactorily in this respect. The Solicitor General for Ireland said the other night that Her Majesty's Government proposed that power should be given to change the venue from one part of Ireland to another. He thought it would be desirable to have such a power, and that the Bill was capable of such an amendment. He hoped Her Majesty's Government would succeed in passing the Bill substantially in its present shape. He believed the people of the United Kingdom, who were most anxious that Ireland should be brought into quietude, so that remedial measures might have an opportunity of working, would not be satisfied with much less.

MR. ARTHUR O'CONNOR said, he did not know whether the Government were quite satisfied with the performance of their last advocate. The hon. and learned Gentleman who had just sat down told the House—and he agreed with him—that the great object of government was the security of peace and order. It had been generally thought that one of the most important means of securing peace and order in this country was the time-honoured institution of trial by jury. But the hon. and learned Member had been at some pains to explain to the House that trial by jury was a complete mistake. He wondered the hon. and learned Gentleman did not go so far as to suggest that trial by jury should be immediately abolished in this country. Juries, said the hon. and learned Gentleman, were subject to panics, and in times of panic invariably went to extremes—they either acquitted or convicted everybody. It was well known that the Act passed by the Legislature of New South Wales, to which the hon. and learned Member had referred, was passed in a panic, and was so absurd that it was only laughed at, and was never put in force. It appeared to him (Mr. Arthur O'Connor) that the House of Commons was suffering at the present moment from panic. This Bill bore the characteristic, from beginning to end, of panic legislation; and that was the reason why he had put down an Amendment, to the effect that the House should go into Committee upon it that day six months. He was perfectly convinced that, in a state of calm, the House would shrink from enacting the provisions of this Bill. He was prepared to admit, with the hon. and learned Gentleman who had just sat down, that the object of the Government was to secure peace and order. If the Representatives of Ireland were a Parliament in Dublin, it would be their duty to take measures for the prevention, suppression, and punishment of crime; and he thought they would know their duty a great deal better than the House of Commons. They would proceed in a way very different from that now proposed by Her Majesty's Government. They would be prepared to admit that Ireland was like a patient suffering from blood-poisoning; and they would endeavour, as far as possible, to remove the causes of disease. They would have very little difficulty in doing that. They would never think of proposing such remedies as the present Ministers proposed. Consider, for a moment, the powers which were to be intrusted to one man, who was not a native of Ireland, nor, as far as he knew, connected with that country. He was to be allowed to set aside trial by jury whenever he thought fit, to prohibit any public meeting, to imprison the printer or publisher of a newspaper, and to seize any copy of that newspaper. Lord Macaulay declared his conviction that liberty of the Press was the safeguard of all other liberties, and, in so doing, only echoed a sentiment of Milton. Such despotic powers as were given by this Bill to the Lord Lieutenant had never before been intrusted to one man by any Legislative Assembly. The subordinate despotisms were even more revolting than the powers given to the higher authorities. The offences of intimidation, of assaulting a constable, and of being found out-of-doors one hour after sunset or before sunrise, placed in the hands of the police coercive powers of tyrannizing despotism, which it was impossible to exaggerate. The Act was to be in force for three years. He wondered that any limit had been placed upon it, for it appeared to be the intention of the Government permanently to govern Ireland by coercion. The right hon. Gentleman the Prime Minister had, he believed, supported more Coercion Bills than any living statesman; and his experience should have taught him that coercion, as it had always done, would prove a failure. He admitted now that the Coercion Bill of last year was a failure; but he was responsible for it, and it was impossible for him to shuffle out of it by making a scapegoat of his former Chief Secretary for Ireland. Between the Prime Minister and the Government, on the one hand, and the right hon. Member for Bradford on the other, what dignity existed was entirely on the side of the right hon. Member for Bradford. The right hon. Gentleman the Member for Bradford knew what his principles were and stuck to them, and was consistent. He understood that, having adopted the policy of coercion, and being forced to admit that it was a failure, the only decent and proper thing for him to do was to retire; but the Government and the Prime Minister preferred to keep their places, although their policy was admitted to be a failure. Irish Members had been invited to cooperate with the Government in promoting Liberal principles. The first duty of the Government was to protect the interests committed to its care, and it was part of that duty to put down treason wherever it might be found. The first Law Officer of the Crown had told the House that some hon. Members sitting on that side of the House were "steeped to the lips in treason." The Ministry heard the declaration in silence; it was quoted over and over again, and the Ministry never repudiated the sentiment of their Colleague, and, by their silence, they must be taken to have admitted it. If hon. Members sitting around him were "steeped to the lips in treason," it was the duty of the Government not only to have nothing to do with them, but to prosecute them, and do what they could to bring them to justice. Any Government, with a proper sense of duty, would feel it incumbent upon them to do that much. But the present Government had not thought it unworthy of themselves to let the impression go abroad that they were perfectly willing to secure for their Liberal principles the support of hon. Members on that side of the House if they could buy it. The Government owed it to its own reputation that such an idea should not get abroad. He believed its object was to discredit the hon. Member for the City of Cork (Mr. Parnell); but if so, the object had failed. The political character of the hon. Member for the City of Cork was beyond the reach even of Ministerial assailment, and the affection his fellow-countrymen felt towards him stood as high as ever. This Bill would not effect the objects it had in view; it would not produce peace or order, neither would it succeed in repressing secret societies; it would rather increase them. Such being the character of this Bill, the position of the Irish Members was very plain. It was their duty to oppose, not only the Bill itself, but also the Government that had introduced it. Every Irish vote that could be obtained should show the resentment felt by Irishmen for the treatment of their fellow-countrymen. But it was the duty of a critic, not only to criticize, but also to suggest a remedy. In order to range the people on the side of order, they should be made to feel that they had the law on their side. They should be treated as the English people were treated; they should be taught to feel that the Government was, as Lord Erskine said, an emanation from their own strength, and that it was their interest to support the Government. If the Government in Ireland was an emanation of the will of the people of Ireland, there would be no occasion for coercion. Englishmen were ruled by laws of their own making, and were, therefore, contented. When Irishmen had a Parliament of their own, coercion might be dispensed with. With regard to the proposal to abolish trial by jury, the detection and punishment of crime were not more successful in England than in Ireland—for instance, in the year 1879-80, out of 131 murders, only 61 persons were brought to trial, and out of these there were only 28 convictions. In the same year there had been 70 attempted murders, 40 persons brought to trial, and only 21 convicted. Then, out of 664 cases of cutting, stabbing, and wounding, only 123 were brought to trial, and of these there were only 85 convictions. So that it was mere rubbish, in the face of those official figures, to pretend that there was in Ireland any stronger reason that did not exist in England for the abolition of trial by jury. During the lifetime of the Prime Minister there had been 51 Coercion Acts for Ireland—in fact, they had been permanent. Coercion was the constant attendant of alien rule. So long as Ireland was ruled by foreigners there must be coercion. Alien rule meant coercion; it meant despotism; it meant the paralysis of all the energies of the people. This Bill was the natural outcome of alien rule. It was, as he had stated on a former occasion, "an epitome of blundering despotism," and he would add that it was an illustration of political imbecility. But what were they to expect so long as they were governed by foreigners?

Mr. SPEAKER: No hon. Member is entitled to speak of this House as consisting of foreigners.

Mr. ARTHUR O'CONNOR: I will say, then, Sir, that this proposal——

Mr. SPEAKER: I must call upon the hon. Member to withdraw the expression.

Mr. ARTHUR O'CONNOR said, he he was always anxious to avoid offending against the Rules of the House. He looked upon a breach of Order as a serious offence and a mistake. He would, therefore, withdraw the word. He need only add that the Irish people would keep cool, and would not subject themselves to the operation of the inhuman provisions of this Bill. Their only reply to the Bill would be to redouble their efforts on behalf of Home

Rule, and the time would come when they would be able to point to a succession of Coercion Acts as the means by which they had attained their wishes.

SIR PATRICK O'BRIEN said, he was astonished to hear the hon. Member say that the Prime Minister had been connected with the passing of more Coercion Bills for Ireland than any other man, without adding that the right hon. Gentleman had also introduced more remedial measures for Ireland than any three Ministers who ever sat upon the Treasury Bench. Speaking for himself, ever since he had been in Parliament, with the exception of 1867, when the country was in a state of semi-rebellion, he had opposed Coercion Bills for Ireland. Last year he told the Government that this system of incarcerating individuals without an opportunity of trial would make those people martyrs in the eyes of the people, and would serve no good State purpose. The truth of the statement had been abundantly proved. At the same time, he suggested an extension of the Summary Jurisdiction Act, and the portion of this Bill dealing with the subject was almost the only part of it to which he felt prepared to give his assent. He had full confidence in the Irish Judges, whether Whig, Tory, or Liberal; and he was surprised that attacks had been made upon a class of honourable men, who were respected and reverenced by the Irish people, alike for their legal acumen, their intelligence, and their honesty of purpose. There was no man in Ireland who was worth his salt, who had not, at some period or another, been connected with either one or other of the great political Parties; and he was amused at observing hon. Members opposite, who always affirmed that everything that was politically good came out of America, objecting to political Judges; whilst in America the mass of the Judges were appointed by popular election; and it was said—he did not undertake to say with what truth—that an individual in that country could procure a Judge for his own private purpose. He should object to emasculated Judges, who had never taken a part in politics, being placed upon the Bench in Ireland. Still, he believed that the creation of the judicial tribunal under this Bill without the intervention of a jury would tend to weaken public confidence in the Judges, especially after the resolution which they themselves had adopted, stating that they were not competent to deal with the cases that would come before them, and which rendered them a self-discredited tribunal. He objected, too, to the Compensation Clauses. He had already ocular demonstration of the unfairness caused to innocent men under the Compensation Clauses of the Act of 1871. The Viceroy, in dealing with these cases, must of necessity depend, in a great measure, upon information supplied to him from sources scattered throughout the country, and could not act alone on his own. With respect to holding public meetings in Ireland, Parliament should not, beyond what was unmistakeably necessary for the maintenance of law and order, attempt to suppress them. The prohibition of public meetings would be considered a grievance. It might be said that if these meetings were permitted some nonsense of a most dangerous character might be spoken to the people. In order to meet the case, he suggested that liberty should only be involved where men knowingly, and with a wicked intention, not on the impulse which often distinguished Irish orators, were talking in a manner likely to cause damage to the State and injury to society. In such cases they might be dealt with summarily, while, at the same time, the cry that the Government were oppressing the people by gagging and muzzling them would be entirely obviated. The hon. Member for the City of Cork (Mr. Parnell) and the hon. Member for Tipperary (Mr. Dillon) said that eviction had been the mother of all the mischief in Ireland during the last two years. He believed the direct cause of two out of every three of the evictions during the last six months was the "no rent" manifesto. ["No!"] In some cases the process of eviction was issued at the instance of the defaulting tenant, to give him an excuse to pay that rent which he would willingly have paid if left alone. The "no rent" manifesto was issued by the pursebearer of the Land League in Paris; and any man who disobeyed that manifesto was declared a traitor by him from his place of safety in Paris. What created evictions? The non-payment of rent. What created the non-payment of rent in too many instances? The "no rent" manifesto. He recognized with gladness that that manifesto was no longer defended in the House, and was delighted that the Irreconcilables were at last reconciled. Those hon. Members, it might be well for their friends in Ireland to know, were now receiving more attention from the Government Bench than he had during his long service in Parliament. Looking to the state of the country, he thought the question respecting the Press was one on which Members coming from Ireland had a right to express an opinion. His opinion was that *The Irish World*, which was contributed to by members of the Land League, was an atrocious journal. As a Roman Catholic, he suggested it should be placed on an Irish *Index Expurgatorius.* As regarded O'Donovan Rossa, he regarded his paper as the production of a maniac; but no one would say that Mr. Ford's paper in New York was the paper of a maniac. Nor could it be denied that Mr. Thomas Brennan, the former Secretary to the Land League, was one of the principal contributors to that journal. In the present state of society he should prefer coercing the Press in Ireland to coercing the people. Injustice could not be done in Ireland so long as opportunity was afforded for discussing grievances in the House of Commons. And now he came to the question of the Amendment of his hon. Friend the Member for Newcastle (Mr. Joseph Cowen), which was the question immediately before the Chair. He (Sir Patrick O'Brien) agreed with him in the accuracy of his recital of all the brutal deeds committed in Ireland during a long and bitter past; but what good purpose was served by the continuous recital of bygone atrocities? The hon. Member had repeated in superb language a thrice-told tale. What he said was, no doubt, historically true; but they were not considering history. The hon. Member might as well have alluded to the misdeeds of the Phœnicians against the people whom the ancestors of modern Irishmen turned out of their country. They were endeavouring to meet a present evil, and deal with it practically. He (Sir Patrick O'Brien) feared that Milesians like himself, in the more remote past, did not possess a clear record regarding their treatment of those who preceded them in Ireland. However that might be, he would say for himself that, had he lived in the "'98" times, he should have been an "United Irishman;" but the history of the last 60 years was the history of attempts, more or less successful, to remedy the admitted and cruel wrongs of his country. His countrymen had been emancipated politically and religiously. They had received municipal institutions. They had got the franchise, and the humblest man among them, if he met injustice, possessed a tribunal at which his wrongs could be righted. The tithes had been removed from the people; their Land Code had been amended in a very large degree; and the Church of the minority had been abolished as a State Institution; and when he recollected all that, he could not forget how much, as Irishmen and Catholics, they owed to that great Party, who for so long, in maintenance of their then unpopular principles, had remained out of Office for years rather than abandon cherished convictions. As a boy he could recollect the name of Charles Fox on Catholic lips as frequently as those of Burke or of Grattan. Was he to forget all these benefits, because a few uneducated men, making more money in America than they could in their own country, sent it over to Ireland in the honest belief that they were doing the greatest good to the people, although those funds were actually leading, in many cases, to outrage? To the Liberal Party the Irish people were under a great obligation. The reason why moderate Liberal opinions were not more widely entertained in Ireland was because as soon as they were adopted skilled Party managers raised the cry that those who differed from them were Orangemen. The people were thus forced to one extreme or to the other. At the same time, looking to the fact that, no matter by whom promoted or how arising, a state of terror existed in many parts of Ireland, he could not discharge his duty to his conscience or the State by voting at that critical time against the measure. He would not vote; but he would endeavour to give effect to the Amendments placed on the Paper when the Bill was in Committee.

Mr. REDMOND said, the hon. Baronet who had just sat down had discoursed on every subject under the sun except the Bill before them. The hon. Baronet's conclusion that he would not vote for the Bill and would not vote against it was quite in keeping with his speech, a large portion of which seemed in favour of coercion, while a large portion also was against it. He could not perceive, however, why the hon. Baronet dragged the "no rent" manifesto into his harangue. [Sir PATRICK O'BRIEN explained that it was to account for evictions.] If there were any justification for the Arrears Bill, it was that people were evicted in Ireland, not because they had not paid their rent, but because they could not pay it. The Irish Members had been twitted with having refrained from denouncing the "no rent" manifesto; but the "no rent" manifesto was never the policy of the Land League. They had been told that coercion was not the policy of the Liberal Party, that it was a hateful incident. The "no rent" manifesto was a hateful incident in the policy of the Land League. It was a weapon taken up by the Land League when all other weapons had been struck out of their hands, and when the Irish Leaders were released it was no longer necessary to continue it. The hon. Baronet seemed to regard the Irish Judges with the more favour because they had climbed to their present positions as Party men. No doubt, since they had reached the Bench their connection with Party, openly at least, had ceased. But the fact remained that the Judges climbed to the Bench by their alliance with Party, and by advocating measures which they abhorred in their soul. The hon. Baronet said he never aspired to that position, and certainly it was a position he had never attained. The hon. Baronet denounced certain American journals that made their way into Ireland. It was no part of his (Mr. Redmond's) duty to defend them; but there were newspapers of a blasphemous, immoral, and rebellious character published and circulated in England far worse than any issued in America; and if the circulation in Ireland of *The Irish World* was a justification of the Press Clauses, then the circulation of the papers to which he alluded was a justification of similar provisions in the law of England. The Prime Minister yesterday spoke of the speech of the hon. Member for Tipperary (Mr. Dillon) as a heart-breaking one. No doubt it was so to men like him, who believed that by this inconsistent and irrational policy of concession and repression they would ever be able to govern Ireland. It was also a heart-breaking speech to those who believed that Ireland could ever be peaceable, contented, or prosperous without Irish genius being supreme in the government of her destinies. He thought the Prime Minister, in many points, had been unjust to the hon. Member for Tipperary. Allusion had been made over and over again to "Boycotting" as leading to crime and outrage. In itself "Boycotting," or exclusive dealing, had been acknowledged by Gentlemen on the Government Bench to be perfectly legal; it was only when it led to outrage, crime, and intimidation that it was denounced by the Prime Minister. But so long as the Land League was allowed to exercise its influence, and the Leaders to guide the people and control their passions, the outrages which resulted from "Boycotting" were few. ["No!"] He thought he knew as much about Ireland as the hon. Member for Guildford (Mr. Onslow), who contradicted him, with all that hon. Gentleman's large experience of the passing of Coercion Bills in that House. It was a remarkable fact that nine-tenths of the speeches delivered by English as well as Irish Members were directed against the Bill and its main provisions. It was disheartening to Irishmen to hear English Members denounce a measure and then end by saying they would support it. The hon. Member for Glasgow (Mr. Anderson) said yesterday that he would vote for the Bill, though he disapproved of all its main provisions, because he had trust in the Ministry. That was the fatal delusion upon which English Members acted last year with respect to the Coercion Bill now expiring. He often heard surprise expressed by English Members, and recently by the Prime Minister, that there was no respect for law among the Irish people. It was impossible that the right hon. Gentleman, when he said that, could have forgotten what the law had been to Irishmen in the past. The right hon. Gentleman had said that the men who were leading the Irish people did not confine themselves to legal methods, and that, having set the engine of "Boycotting" in motion, they were responsible for the excesses that had been committed. Therefore, the right hon. Gentleman denounced the people and their Leaders. They ought to remember what law had meant for the Irish people in the past, and the feelings of those 200,000 or 300,000 tenant farmers who were in arrears with their rents, and who saw nothing in the law but an engine for their destruction. Last year those men were told that the Land Act was a message of peace, but to-day, when they were without resources, they were denounced for not confining themselves strictly to legal methods. Those were the men from whose desperate condition crime had flowed, and the justification of the Arrears Bill lay in the necessity for removing the cause of outrage. But, in that case, how could the Coercion Bill be justified? The Arrears Bill was only part of the necessary remedial process; and now, at that period of the Session, it seemed impossible to enter into any scheme for the extension of the Purchase Clauses of the Land Act. Even if it fulfilled the most sanguine expectations of its authors, the Arrears Bill would not settle the Irish land difficulty. It was argued that the Coercion Bill was necessary in order that the Government might cope with the secret societies; but if that was so, why not strike at them more directly, instead of beginning with the suppression of the right of public meeting? No one was more anxious than he was that the Government should grapple successfully with the secret societies; but was it possible to crush them by depriving the people of one of their ordinary rights? That step was clearly unnecessary and ineffectual. He knew nothing of secret societies, but was convinced that if the Bill applied only to Ireland, it would not reach their heart, which was undoubtedly to be found elsewhere. Now, as to the suspension of trial by jury, he should like to learn the grounds on which the Government rested this provision of the Bill. Either the Prime Minister or one of his Colleagues had said—"There are some things so notorious as to require no proof at all." He wished to know in how many cases trial by jury had failed, and whether the figures did not show that the percentage of failure was nearly as great in England and Scotland as in Ireland? That there had been failuresevery one knew; but they had not been so numerous as to warrant the provision made against them in this Bill, and juries had certainly not failed to do their duty in trials for treason-felony, for the simple reason that there had been no such cases tried for the last 10 years. Why, then, include them in the Bill? He was sorry that political offences were to be tried by a Commission of three Judges, but not because he was afraid of the Court that was thus to be constituted, but because he believed that such a Commission would be useless against persons charged with murder. Judges would be very chary of convicting and hanging a man without a jury. He was convinced a murderer would have a better chance of escape before these Judges than before a jury? Again, the question of the responsibility of the magistrates was a matter into which he would not enter; but he was surprised that the Government had not the courage to invest all the magistrates alike with the power of summary arrest. Hostile as the magistrates usually were to the Irish people, it would be better that all of them should have the power than that it should be intrusted to individuals who had been brought from Zululand and British Burmah to terrorize the people of Ireland. He appealed to the English Members to support his endeavours to obtain a modification of the Bill. It was not fair to the Irish Members, nor just to the Irish people, to hold the threat over their heads that by prolonging the passage of this Bill they delayed the Arrears Bill. Conciliation for the Irish people must do more than give them an Arrears Bill or the release of the Leaders of the Irish people. It must release the innocent men who were at present confined in prison. So long as those men were kept in prison, and the provisions of 34 *Edward* III. tyrannically enforced in Ireland, so long their conciliation sounded like a mockery in the ears of the Irish people. As the right hon. Gentleman the Prime Minister had said, the situation was heart-breaking; but he was not one of those who entirely despaired. If freedom of speech was suppressed in Ireland there would be all the greater necessity for an honest representation of the people in Parliament. The Bill would fail, as every other Coercion Bill had failed, to remove the determination of the Irish people to rest satisfied with anything short of legislative independence. They had only to exhibit the same self-restraint as had been preached to them by their Leaders, the same determination, steadfastness to principle, and loyalty to each other, in order to make every fresh instance of the incapacity of this Legislature to govern their country tend to bring about Ireland's emancipation.

MR. JESSE COLLINGS said, he would first allude to the Intimidation Clause of the Bill. That clause, which included any word spoken or act done which was calculated to intimidate, was to be put in the hands of the weakest Executive in the world, and yet his hon. Friends hoped that the Irish people would not be infuriated. It was an extraordinary thing that every Liberal Member who had criticized this Bill had, nevertheless, expressed his intention to vote for it. That was a phrase of Liberalism he had yet to become accustomed to. He believed that this was a very grave—perhaps, the most grave—crisis in the history of Liberal dealing with Irish affairs. There was no one who did not wish to put down crime with most merciless severity; but the question was, would that measure put it down, or was it likely to do so? In his opinion, it was not. Eighteen months ago the position was almost exactly similar. They were then told the same things, so that he could almost fancy that he had in the last few days been listening to the speeches he then heard. But everyone knew that the Coercion Act which was then passed was attended with the same failure as its predecessors, and that it left Ireland worse than it found it. Evictions had immensely increased; crime had almost doubled; the people had become demoralized, and the respect for the law still more weakened; and, what was worse, the hatred for English rule intensified. It seemed too sad to think that the Government were working into the hands of the Phœnix Park assassins. When, a fortnight ago, it was announced that there was to be a new departure in the policy of governing Ireland, the Liberal Party became hopeful; but here was the Government stumbling twice over the same stone in introducing this, another measure of coercion, to accompany the remedial measure, which latter was to be left to the caprice of the House of Lords. That was not Liberalism, nor anything approaching to it. The position of the Government was a strange one. They had come down to the House with an admission that coercion had failed; and yet, with that fatality which attended English rule in Ireland, they coupled with that admission a demand for more coercion. Ireland was being treated as suspected lunatics used to be. They were first loaded with chains, and, when such cruel torture produced madness, that madness was appealed to as a justification of the treatment. When he listened to the speech of the right hon. and learned Gentleman the Home Secretary he was carried back 50 or 60 years, and he could with difficulty believe that it was the statement of a Liberal Minister in regard to the government of Ireland. In his opinion, the people of this country were heartily sick and tired of coercion, and they would soon let it be known that they were so. As regarded what was known as the "prowling" clause, he believed it was open to the most serious abuse. The Bill, in short, seemed to contain little bits—and those the most objectionable—of every Act that had gone before. If people were suspected of being able to produce evidence of crime, and did not do so, they were to be taken up and imprisoned. Public meetings were not to be allowed which the Lord Lieutenant thought dangerous. Those were, in other words, what the police thought dangerous. That meant, in fact, an absolute denial of free speech in Ireland. If a public meeting were to be held at Ballina to protest against the shooting of children, those who took part in it might be sent to gaol upon the charge that they had used language calculated to offend the Government. But they must remember that if they denied free speech upon the platform they would find it in the byways and secret places of the country. The public Press, too, was to be gagged, and every phase of social life was to be interfered with. They were told that the administration of the Act would be the safeguard. But did anyone mean to say that the Lord Lieutenant would not have to rely on subordinates for his information? And if he did rely upon subordinates, of course he must depend upon the evidence of informers and the police, who had deceived every Chief Secretary who had been sent to Ireland. Those officials were out of sympathy with the wishes of the rulers, and altogether out of sympathy with the people ruled. Eighteen months of coercion had demoralized them; they were the real governors of a people demoralized, and in some cases brutalized, from the same cause. Parliament should put its own safeguards on the measure, and not leave it to the administrators; but there seemed to be a distrust in the power of Liberal principles to govern Ireland. He believed that there was no necessity for such a measure. Doubtless, the Bill was aimed against crime; but that was not the question. The question was, whom would it strike? In his opinion, it would strike at the Irish people, who were the most law-abiding people in Europe—[" Oh, oh! "]—except as regarded agrarian offences, and there was no doubt of the fact that they were the largest rent-payers in Europe. Was there any hope that any clause in the Bill would stop secret murder or find and reveal the murderers? They might imprison or hang the agitators; but their power would only remain the greater. There was only one way of destroying their influence, and that was to trace Irish discontent to its cause. It had been said that the hon. Member for Tipperary and Mr. Davitt were responsible for a good deal of the present agitation. They were rather the outcome of the state of affairs than its cause. It was very well known in what state the people of Ireland were. They had been told long ago in that House what evictions meant. The right hon. Gentleman the late Chief Secretary said that it meant, in many cases, sentence of death. People were evicted for the non-payment of rent which they could no more pay than they could pay off the National Debt. The number of evictions had doubled under the recent Coercion Act, and he had no doubt they would still increase. During the first two years no less than 35,000 had been evicted. During the first three months of this year 7,000 were turned out, and during the present month a much larger number in proportion. If the law gave no protection to these poor people, how was it possible to secure obedience? Why did not the Government strike at the cause of the evil, and thus render the passing of such Bills as that then under consideration totally unnecessary? It had been said that they did not want the responsibility of the Home Rule Members; on the contrary, he affirmed that they did want the responsibility of all the Members of the House. If the Home Secretary spoke that evening he hoped that he would not quote further from *The Irish World*, or the mad talk of men not responsible for their language, as that could only serve to inflame public feeling. He felt ashamed to be urging the mere alphabet of Liberal policy. Last year he recommended the Government to put their faith in remedial measures; instead of that, they took from the armoury of the absolutists the worst weapon they could find, and it had pierced their hand, as it was to be feared this would also do.

Sir HENRY FLETCHER said, he supported the Bill, and did so the more strongly because of the fact that no one sitting on his side of the House had risen to do so after the speech of the hon. Member for Ipswich (Mr. Jesse Collings), who had commenced his observations by alluding to the Intimidation Clauses of the Bill, which he condemned; but he (Sir Henry Fletcher) had had the opportunity of experiencing, within the past few weeks, what was the intimidation carried out in England by a certain section of a Party at the Northampton Election. At that election intimidation was carried out, and he went down to support a candidate who advanced moral and religious principles. The intimidation that was carried out there was to such an extent that he and other speakers were almost prevented from making any speeches, and having that fairness extended to them which every speaker at an election was entitled to. He was told that the intimidation came from a certain section at Birmingham. The hon. Member for Ipswich said that he had no Irish constituents; but he thought the hon. Member's speech that night had been an endeavour to get the Irish vote in the various constituencies over which he held a certain sway and authority. He could not but look with horror upon the utterances of the hon. Member for Tipperary in holding up the system of "Boycotting." The hon. Member seemed to make light of it; but certainly no Englishman who had been in Ireland and seen that dreadful system carried out to its utmost among the unfortunate people could fail to be indignant. He asked the Government to be firm in their effort to put down this system, which had driven many loyal men to be members of the Land League. If the Government gave way, it would be better that Ireland should cease to be under English rule, and when it did it would be a sad day for that country.

MR. SLAGG said, he could not deny that the speech of the hon. Member for Tipperary (Mr. Dillon) had imposed some serious difficulties in the way of those who wished to advocate a conciliatory treatment of Ireland in the present crisis, but thought the danger of the speech lay less in what the hon. Member actually said than in the construction which might be put upon the speech, for none of them could believe that the hon. Member was in favour of outrage or murder. But neither that speech nor half-a-dozen of the same character could possibly alter facts, or change the experience the House had now had of coercive policy. The exploits of the Liberal Party in that direction had not been so successful that they could enter upon a new but similar path without the gravest misgiving and the most serious reflection. Such support as he had given to the Bill of last year was given reluctantly; but he did not wish to pose as one who was wise after the event, and he accepted the responsibility of the support which he then gave in common with the people of Scotland, Wales, and England, and the solid vote of the Conservative Party. When that policy was proposed last year, the Liberal Members had no alternative but to support it, actually by vote, or tacitly by silence, or range themselves with the Irish Party opposite, who, by the extremity of their course of action and the violence of their Parliamentary conduct, had alienated all who desired to follow legitimate Parliamentary methods. He thought the House had been told often enough that the Coercion Bill of last year was a failure, to this extent at least—that they had had to release the men who were put in prison under its operation; and it was further alleged, even with some sort of truth, that an understanding had been come to with some of those "suspects." If any understanding or agreement had been made with those hon. Gentlemen, by which they were converted from the enemies of order to the advocates of peace and quiet government, he considered it a most masterly and commendable piece of statesmanship, and he hoped the hon. Members with whom it was made would honourably stick to their bargain. The Government declared that this new Coercion Bill was framed before the dreadful catastrophe of the 6th instant. In that case, it could have no connection whatever with that dreadful crime, and if it had no relation to that crime; he asked the House to consider what it could have relation to. It certainly had no relation to increased outrage in Ireland, as was evidenced from the fact that outrage had declined. Surely, then, it must not be said of this country and of this House that they were acting in a vindictive manner in relation to that crime. They must try to dissociate themselves entirely from that terrible act, which he was sure was one of individuals and not of Party, and he did not believe appertained to the Irish race in any degree whatever. Was there any reason to suppose that the step the Government were embarking upon with so much peril would take them one jot in the direction of conciliating the Irish people? It was alleged that the measure was absolutely necessary, and that the government of Ireland could not be conducted without it; but he had failed to hear in any one of the speeches that had been delivered a single assurance that it was likely to succeed. Experience of all countries where coercion had been adopted must lead them to apprehend that the measure, which he could only characterize as extreme, would fail in the objects for which it was intended. He objected to the whole plan of the Bill, and would like to see it withdrawn till the Arrears Bill had been passed and its effect fairly ascertained. He questioned its necessity at the present crisis, and just at this moment. When a better light was dawning on Ireland, when there was a possibility of drawing the people into better courses, it seemed to him a most dangerous step to apply a treatment that would greatly irritate, not only the persons it was intended to strike at, but every man, woman, and child in the whole country. His main objection to the Bill was that it affected not only the criminal class, but that it placed the whole population of the country under police and criminal surveillance. He was told that no innocent person could possibly suffer injustice under the Bill. He did not suppose that any influential Englishman who went over to Ireland would be likely to suffer injustice under the Act;

but that would not be so in regard to the majority of the Irish people. The magistrates would be more on the alert to notice any tendency on the part of the Irish people to land agitation. He did not see a single clause in the Bill which would greatly facilitate the arrest of the criminal class, while it would utterly fail to enlist the Irish people on the side of law and order. He objected most strongly to the loose definition of intimidation contained in the Bill, for it would include acts of almost any description, and nothing could be more unequal than the clauses with regard to rioting, &c. For that offence six months' incarceration with hard labour was provided, and a little further down the same penalty was fixed for prowling about at night—in itself a most innocent occupation. There was no tourist who could not be summarily arrested under the clause with regard to the arrest of strangers. He did not recognize in the speech of the hon. Member for the City of Cork (Mr. Parnell) any recantation of his past policy; but he did recognize in it a desire to promote, by legitimate means, the cause of peace and order; and the Government would be ill-advised not to co-operate cordially with the hon. Gentleman. The Government, he hoped, if they would not withdraw the Bill, would take the sting out of it, and make it a Bill for the arrest of criminals, and not a measure which was an aggravation and an injustice to the people of Ireland.

Mr. GIVAN said, he wished to state the reason which had led him, up to the present time, to support the Bill. If he could believe, with the hon. Member for Tipperary (Mr. Dillon), or with the hon. Member who had spoken below the Gangway on that side of the House, that the Bill ought to be called a Bill for the promotion of crime rather than for its prevention, or if he could believe that the Bill was intended to restrict full and free liberty of the subject, he should be inclined to vote against it, and oppose it in the most strenuous manner. After carefully perusing the Bill, he had supported it in its various stages, because it was directed entirely against the criminal classes, against secret societies, and against outrages. He believed he was expressing the unanimous feeling of hon. Members from the North of Ireland, who sat on that side of the House, and also of many Members below the Gangway, who had taken no part in the debate, when he said that in declining to support the Amendment of the hon. Member for Newcastle (Mr. Joseph Cowen) they were not actuated by any feeling opposed to the principle enunciated in that Amendment; but to be asked at the present moment to give their assent to it was, in his opinion, inopportune, and tended to obstruct the Bill, and to prevent it going into Committee. Another reason why he and his Friends objected to support the Amendment was because in doing so they might appear to identify themselves with statements and arguments in its favour which were opposed to all good government and every principle of liberty. It was, to his mind, a matter of regret that the condition of Ireland as to crime had been so minimized by some Representatives of English constituencies. Not only that, but they had exaggerated the objectionable provisions of the Bill by special pleading. It had been called by speakers and writers in this country and in Ireland a Coercion Bill; but he asserted that, to any unprejudiced mind, it was in no sense deserving of this stigma. [*Ironical cheers.*] Hon. Members might laugh; but it would be equally true to describe any Bill directed against any offence in the Criminal Code as a Coercion Bill. The hon. Member for Ipswich (Mr. Jesse Collings) had referred to the failure of the Bill of last Session. He opposed that Bill; but the fact that it was a failure was the reason why the Government found it necessary to bring in the present Bill. The present Bill was based upon different principles. It was intended to grapple with the demon of disaffection, violence, and outrage, which was blasting the hopes of Ireland at the present moment, and especially against unlawful secret societies. If he and his hon. Friends around him believed that it was intended to have any other effect in its operation or administration, they would give it the most strenuous opposition in their power. Surely any man in Ireland who loved law and order and wished to be left in possession of his property would support a measure intended to put down that terrorism which was blackening the face of the whole country. He knew how secret societies were permeating the country; and, therefore, he had no hesitation in saying from his own knowledge that the information upon which the hon. Members for Manchester and Ipswich relied was wholly erroneous. Hon. Members opposite below the Gangway knew in their souls that this Bill was necessary. ["No!"] He had the utmost confidence in Earl Spencer, who never had done anything harsh; and, as to the Chief Secretary, he had already inspired them with confidence. He hoped this Bill would be pressed, and carried successfully to the end. He objected to many things in the Bill. He did not think the duty should be imposed on the Lord Lieutenant to select the particular Judges for the tribunal under this Bill, but considered there should be a rota, selected from time to time by the Lord Chancellor. The power of prohibiting public meetings should not be exercised except upon the written and sworn information of some responsible person in authority, stating that the meeting would incite to crime. Such information should be under the control of this House. The abominable crime of "Boycotting" was the offspring of the Land League, and he believed it had caused more outrages than all the evictions. It was a conspiracy against human life and property, and, unless speedily checked, must involve yet further loss of life. He believed there was a healthy public opinion in Ireland, notwithstanding statements made in this House, and the Government was bound to protect and strengthen it. As to the proclamation of districts, he thought care should be taken. He was aware that under the present Act districts in his own county and in County Wicklow had been proclaimed that were almost entirely free from crime. He believed the powers proposed to be conferred on Lord Spencer would be exercised with moderation and caution, and the Executive would receive the support of all law-abiding people. He thought the Government were now making the same mistake that had been made last year, in postponing a remedial to a repressive measure. He held and had frequently expressed a strong opinion that the Arrears Bill and the Prevention of Crime Bill should be taken *pari passu*, or that precedence should be given to the former; but, in any case, that the Royal Assent should not be given to the Prevention of Crime Bill until the Arrears Bill had passed.

MR. TREVELYAN: Sir, the debate to-night was resumed by a speech from the hon. Member for the City of Cork (Mr. Parnell), which, speaking without any desire to be ironical, I venture to call a most remarkable speech. The hon. Member explained his position with a frankness which interested the House, and did not altogether make an unfavourable impression upon it. The hon. Member stated that in his early days he had approved of "Boycotting" as a means of protecting the tenants against being robbed of their tenant-right, but that he did not approve of "Boycotting" being employed against a person who refused to subscribe to the Land League or to illuminate his house at a Land League triumph. The first lesson which I draw from the speech of the hon. Member is that it is impossible to prescribe limits when illegal and illicit means of action are once set in motion. The hon. Member, who is an Irishman and who sympathizes very strongly with what he regards as the wrongs of the Irish people, draws distinctions which the Government cannot draw. The Government represents the law. They are intrusted with the interests of order; they are bound to enforce the law, even where it is burdensome and grievous, and to preserve order, even where that order is disturbed by men who are excited by a sense of wrong. The Government, however, are now entering upon the task of supporting law and order with the knowledge that the grievances of which complaint has been made have been very largely removed, and when the Irish tenants, by the Land Act, have been very generally placed in possession of tenant-right — [*Ironical cheers from the Home Rule Members*]—yes; or will be very generally placed in the possession of tenant-right as soon as the Land Courts shall have completed their work, and when, in the interval, they are endeavouring to protect the tenant from being deprived of its possession through the non-payment of arrears which he cannot pay. The hon. Member for Cork City (Mr. Parnell), with much feeling, has urged the Government not to engage in a course of exceptional legislation. He has compared the present with the immediate past; and he has told us that the outrages which are now existing in Ireland, although unusually large, are not general and are diminishing. I am afraid that that statement is open to question. In the first four months of 1881 there were 1,177 outrages, while in the first four months of the present year they amounted to 1879. The hon. Member spoke also of his hopes of a rapid diminution, and said that the number fell off by 70 last month, and he believed there would be a greater reduction this month. It is true that last month there was a fall; but, judging from the portion of the present month already elapsed, if the outrages should continue at the present rate, they will equal in number those of last month. The hon. Member made a comparison with the year 1832; and, rightly observing that it was, that it is, impossible to eliminate the agrarian from the ordinary outrages in that year, he gave the House a most appalling account of outrages, and showed that, even if a very liberal deduction be made for ordinary outrages, the sum of agrarian crimes was a terrible one. But, on a consideration of the differences between the years 1832 and 1881, the outrages of the latter year appear to have been almost equally appalling. In the first place, in 1832 the ordinary legal machinery was very defective, for there was really no operative system of Crown prosecution at Assizes, and no really operative system of prosecution for minor offences at Quarter Sessions. In the next place, in 1832, the Police Force was very weak, there being only 5,700 badly-organized constables, as against 12,500 better-organized men at the present day. But, if outrages have diminished in number since those times, the material and field for them have diminished likewise; because, instead of the 8,000,000 which the Irish population numbered then, it numbers now, roughly speaking, only 5,000,000. ["Hear, hear!" *from the Home Rule Members.*] I am sure that hon. Members will understand the object with which that remark was made. I was obliged to make it for the sake of the argument I am about to adduce. If you compare the outrages—the aggregate outrages of any sort—calculated on the basis of population, the results you will arrive at are these:—The average of 1832, 1833, and 1834 of homicides of all classes was 246; in 1881 they were 95, but, calculated according to population, they should have been 152. Of the crime of firing at the person the number this year has been 144; and the number, if calculated according to population, would have been 166 in 1832. Of serious assaults there were in those days 1207; but, on the same principle, the number should have been 1,118. Of the assaults on the police, the number now would be somewhat larger than then; but, of course, there are a great many more police to assault. Corresponding results are obtained in the case of the very terrible crime of firing into dwellings. Instead of 106, they would have numbered 142, calculated on the basis of population; and the number of incendiary fires would have been 1,035, against 529. I do not want to press this argument too far; but it is a consideration which should be taken into account when you compare the outrages of 1881 with the outrages committed in 1832. I cannot continue my speech any longer without saying a word about the attitude of hon. Gentlemen opposite. The right hon. Baronet the Member for North Devon (Sir Stafford Northcote) made a speech which has never been exceeded, I think, in the manly and loyal support—I use the word loyal in its strict sense—which it gave to the Government of this country. And I am bound to say that I do not think the effect of that speech has been diminished by the very different spirit manifested in the speech delivered by a noble Marquess (the Marquess of Salisbury) at Stratford yesterday. The noble Marquess, after a very long engagement, went down to attend a political meeting, and to make a Party speech—and everyone on both sides of the House knows that you cannot break with a Party engagement lightly; and, if you keep it, get through an hour, in the midst of eager partizans, without saying something uncomplimentary of your political opponents. Under these circumstances, I take the speech of the right hon. Baronet opposite as representing the real attitude of the Conservative Party. The Government recognize that attitude as leaving nothing to complain of, and nothing to supply; and, as patriots and as Englishmen, we shall be glad of the support of the right hon. Gentleman. And for the very best reason—I do not use the word in an offensive sense—for this reason—that my hon. Friend the Member for

Newcastle-on-Tyne (Mr. Joseph Cowen) has brought a very serious indictment against England for her treatment of Ireland. The speech of the hon. Member was very powerful; but it was not quite new, although from the mouth of my hon. Friend the subject acquired new charms. But, whether new or not, his statement was very true and very painful, although in regard to it I am bound to say that the present Government feel their withers unwrung. My hon. Friend asked how we have treated Irishmen? He said that we have neglected to study their wishes. Now, I should like to know if that is the sort of charge which, during the last fortnight, has been brought, on the Benches opposite, against my right hon. Friend the Prime Minister? The hon. Member told us that we had forced on Ireland an alien Church and a hated land system. How much of the responsibility for the existence of that Church, and what the hon. Member for Newcastle considers the more disagreeable features of the Irish land system, rests with my right hon. Friend? I imagine, very little. But my hon. Friend has brought a charge against the Government, after the manner of the sages of old, in the shape of an historical parallel. He drew a parallel between the condition of Ireland under the present Administration and that of France under Louis Napoleon. France, he said, under Napoleon, was crammed with servile statesmen, a servile House of Deputies, and a servile Legislative Assembly. Napoleon had also 300,000 soldiers instead of 30,000, and yet he fell. I could not help thinking that no great advantage was to be gained by entering into an historical parallel between Ireland and France under Louis Napoleon, or that any public good is to be got out of the highly-coloured picture which the hon. Member has set before the popular imagination. What is the real likeness between Ireland and France under Louis Napoleon? There was not a newspaper in Paris the editor of which did not know that ruin was impending over him if he penned a line that was hostile or displeasing to Louis Napoleon. In whatever shape the Press Clauses in this Bill are passed, there will not be an editor in Ireland who will not know that he may write exactly what he likes, if he will only abstain from putting in the advertisements of "Captain Moonlight," or invitations to private murder. And since I became Chief Secretary for Ireland, I have read carefully a great many of the leading papers published in Dublin and elsewhere in Ireland, and I do not think, for a single moment, that editors in Ireland can have anything to be uneasy about. [Mr. HEALY: They are all in gaol.] In France there was a certain appearance of freedom in the Senate, but the Government so coerced and manipulated the constituencies that there was no freedom of popular election. So far as this Government are concerned, I do not think the Members of it are at all unwilling to get at a real expression of popular opinion. Only on Tuesday night we sat up over an Irish Bill, and a very interesting night it was. We got through the Business in a style which even the Scotch Members might have envied. And what was the Business? It was a Bill brought in for introducing the ballot into the election of Guardians of the Poor, in order that the right of choice on the part of the people might be fairly exercised without any interference, or fear, or supervision on the part of other persons. And what was the action of the Government in regard to that Bill? The Government warmly supported it, for they were only too glad to obtain, in any way, a fresh and further expression of the real feeling of the people of Ireland. My hon. Friend the Member for Newcastle (Mr. J. Cowen) also spoke of what he called the mistaken policy of the Government in sending out, at the same time, a message of conciliation and a message of coercion. The Government are sending a message of conciliation and a message of coercion; but they are not sending them to the same address. The message of conciliation, which is—whatever the hon. Member may think about the method of it—a very well-meant message, is being sent to the hard-working and struggling farmers of Ireland; but the message of coercion is being sent to a much smaller—I hope a very small class—class of men who are the worst enemies these Irish farmers can have. I must say that I deprecate all this talk about England's oppression of Ireland. In whose defence is it that we are passing this Bill? Is it in the defence of Englishmen? Do you think that Lord Spencer and myself are not content with the soldiers and police we have to protect us? It is for the defence of the poor Irish farmer. An hon. Member who spoke with so much fervour—the hon. Member for Tyrone (Mr. T. A. Dickson)—laid down four Constitutional rules, and what was the first of them? Why, that the sanctity of the home should not be violated. There are homes in Ireland in which the chimney-corner is within range of the window, and the tenant has no servant whom he can send to open the door, outside which the midnight assassin too frequently lurks; and one great reason why this Bill has been introduced is, that the sanctity of the poor man's home should not be violated. As to the method of the coercion which we propose, the hon. and learned Member for Dundalk (Mr. Charles Russell) has made a most searching and interesting speech. He argued with much ability that the impunity of crime is largely due to the difficulty of procuring evidence, and that a considerable number of the failures of justice had been brought about, not from the weakness of the tribunals, but from the breaking down of the efforts for the detection of crime. My hon. Friend the Member for Newcastle (Mr. J. Cowen), who always finds something interesting to say, praised the late Mr. Drummond. I happen to number among my friends a lady who largely enjoyed the favour and esteem of Mr. Drummond. She is one of my best and oldest friends, and I rejoice that she is still alive to hear what the hon. Member has said of Mr. Drummond. She, who understood the nature of her husband's work, as a true wife always does, will be pleased to hear that the Government have taken a leaf out of his book. In Mr. Drummond's day, crime arose almost exclusively from the Tithe agitation, and by the Act of 1838 that question may be said to have been finally disposed of. Crime in our day is closely connected with the question of arrears; and the present Government have, at this moment, a Bill upon the Table which will in many cases abolish arrears. Mr. Drummond, in order to check crime, laboured to institute and organize the Constabulary system on a local basis. I wonder whether my hon. Friend who praised Mr. Drummond knew this fact—that Mr. Drummond did more than any single man to create the existing system of Constabulary; that he based his system upon local officers charged with the care of particular districts, the main object being to pay especial attention to the prevention of crime. Now, Mr. Drummond died while still labouring in the Public Service at a very early age; and in order that we may not overtask any man's strength by making impossible calls upon it, we have appointed a Special Assistant Secretary, who will keep in his hands the threads of the police system, and who will devote his undivided energy and attention to the business of detecting and repressing crime. We have also appointed a number of highly-qualified local officials, who will decentralize the system on which the police operations of the Irish Government are at this moment being worked. The hon. and learned Member for Dundalk (Mr. Charles Russell), whom I take to represent the great body of enlightened Irish opinion, said, in the course of his speech—

> "As regards the clauses relating to search, to aliens, and to the prevention of nocturnal meetings, he went heart and soul with the Government. Under fair safeguards, even if those clauses should involve individual discomfort, that was a price which every man ought to be willing to pay for the purpose of putting down that pest and bane of Irish life—the secret societies."

But the hon. and learned Member for Dundalk complains of the want of evidence. "The real difficulty," he says, "consists in procuring satisfactory evidence." But, in the opinion of the Government, the Search Clause will be most important in the way of securing evidence; and the 13th clause, which allows an independent inquiry, even where no individual has been arrested, will do a great deal to aid in the detection of crime. I challenge any denial that this clause is unconstitutional. It is an inquiry in the nature of a Coroner's jury in England, and an inquiry of a nature well known and frequently practised in the law of Scotland. My hon. and learned Friend says—

> "Did hon. Members suppose that the people would have greater confidence in the proposed new tribunal than they had in the preceding tribunal? Did they imagine that evidence would be more readily forthcoming because the people had less confidence in the tribunal?"

I cannot help thinking that my hon. and learned Friend confuses two things that are not always the same—namely, liking and confidence. My own impression is, that the main reason why evidence is not forthcoming is that the people know that it would be useless. No witness would care to incur the odium and the ill-will of giving evidence when he knew that his evidence, when given, would not produce conviction, and when he knew, also, that in many cases he would become a marked man, and that if any outrage was inflicted on him—of a character too often inflicted now-a-days—the criminal would escape punishment, because the case would be tried in its turn before an untrustworthy tribunal; and so the whole chain of impunity goes on dragging its weary length along. It is by instituting a new tribunal which would convict the guilty man that you will produce in witnesses that confidence which will induce them to come forward and give evidence. As to that tribunal, I have listened very carefully to the speeches which have been delivered in the course of this debate, and I gather from them that some hon. Members would not be satisfied with any effective tribunal at all. One of the proposals of the Government is to try crime by means of a Commission of Judges. Against these Judges there have been accusations that they are partizan and political Judges—charges, I must own, that I do not think will be generally accepted by hon. Members who have sat on the same Benches behind or opposite the distinguished men who, during the past 20 years, have been transferred from this House to the Irish Bench. It is proposed by the Solicitor General for Ireland to provide clauses for amalgamating the Town and County panels, an arrangement which, if we may judge from the experience of the Winter Assize in the County Cork, might obviate the necessity for a Special Commission of Judges at all. But here I heard from one of the Benches in this House a cry of "Packed juries!" And the hon. Member for Tipperary (Mr. Dillon) has expressed a strong preference for a Commission of Judges, rather than a jury, in a certain part of the country. The only proposal against which I have heard nothing from hon. Members opposite is the jury system, as it is at present constituted; and that system is one under which 30 successive agrarian murders have been committed with impunity.

Mr. GRAY: Were the persons who committed them brought to trial? No one was tried for them.

Mr. TREVELYAN: I am not asserting that under the present system the criminals have been brought to trial, or that evidence against them was obtained. I never said that the cases were tried; but I wish to point out that coincident with this system 30 agrarian murders have taken place, in regard to which the criminals have not been brought to justice. No doubt, hon. Members reprehend them as strongly as I do. If the hon. and learned Member for Dundalk maintains that such a tribunal will have the confidence of witnesses, I must say that, speaking as an Englishman to an Irishman, and as a layman to a lawyer, I think he is mistaken. Then as regards Clause 19—the clause giving summary jurisdiction to the magistrates—the Government believe that it is an essential part of the Bill. Hon. Members have expressed great apprehension at such powers being committed to Major Bond and Mr. Clifford Lloyd. In the first place, I may say at once that Major Bond's term of appointment expires on the 3rd of July. It is a temporary appointment, and it will not be renewed. I think, when they hear the whole case, hon. Members will find that Major Bond has not been thrown over. As regards Mr. Clifford Lloyd, his policy, when acting as a magistrate, is worthy of some remark. He has sat as a magistrate at Kilfinane, Kilmallock, and Charleville—two out of the three being centres of disturbed districts. The notion on which Mr. Clifford Lloyd acted was, that the surest way to support the law when the law was in danger was to inflict slight but certain punishment. His sentences, speaking of this particular period, were light fines, or in place of a fine he bound the accused persons over to keep the peace and be of good behaviour. In nine months, in these disturbed districts, he only inflicted 11 sentences of imprisonment, amounting to 14 days, and in most of the cases the charge was assaulting the police. These sentences were light, but they were certain sentences, and they were immediate. For six months past he has never set in Petty Sessions except in two or three trifling cases of vagrancy and drunkenness, and in the well-known cases of bail connected with the question of the huts. I may here state that Lord Spencer in all cases of interference with the erection of huts, raised ostensibly for the shelter of evicted persons, has ordered that they shall be submitted to his own eyes before any action is taken in the matter by the police. [*Cries of* "Oh!" *from the Opposition Benches.*] If the Lord Lieutenant is to be responsible under this Bill, he must, in some instances, be allowed to choose his own responsibility. Whatever may be the labour imposed on himself, he thinks, and rightly thinks, that a matter of such extreme delicacy as this is not to be initiated, or any action taken in regard to it, except on his own judgment and on his own responsibility. In saying this, he derogates nothing from his confidence in his subordinates, and nothing from the sense he entertains of the high feeling of duty and of patriotism which has always actuated Mr. Clifford Lloyd. But Mr. Clifford will not sit in any Court under this Bill—not because he is Mr. Clifford Lloyd—for that would be a reason which, standing here, I should be ashamed to give, but because he belongs to the class of special Resident Magistrates. On this point I will read a passage from the letter of Lord Spencer—

> "In any case, he should never give the powers of that Act to the selected Resident Magistrates. Those who are engaged in repressing disturbance and outrage, and in detecting crime, should not be those who tried offences. Those who track the criminals should not be the persons to judge them. I think it desirable, as far as possible, to separate the judicial and executive duties, so that no Resident Magistrate under the Act shall sit as a magistrate in any case where he has been engaged in his executive character."

That is a very important decision of the Lord Lieutenant. My hon. Friend the Member for Glasgow (Mr. Anderson) expresses great uneasiness about the power of stopping public meetings. I can only repeat what I said in my speech on the second reading of the Bill, that we shall only stop meetings when such meetings are part of the machinery, voluntary or involuntary, of violence and disorder. At this hour of the night I will not quote statistics; but I could easily quote them to prove that, when there is an excited state in a particular part of the country, meetings may be held which are more or less excited, and speeches may be made by people who do not intend to provoke outrages, but which, nevertheless, tend to swell the amount of outrages in the district. Lord Spencer and the Irish Government desire to have this power; but they will certainly exercise it very carefully. My hon. Friend says we shall drive Irish opinion below the surface. We desire to drive nothing below the surface or out of the country except crime. Opinions, aspirations, enthusiasms, however they may be opposed to the Government, they have, and will have, free and unbridled play, both in print, in the Press, and on the platform. There is one point on which the Government cannot yield, and that is in regard to the duration of the Bill. Anything less than three years would not belong enough to give them any confidence in being able to restore tranquillity to Ireland. The evil is so deep that the cure must be steady and gradual. If it is to be quick and hurried, it cannot be permanent, and it would be dangerous to make it too sharp and too drastic. Again, it is most vital for Ireland that there should be no uncertainty about the mode of criminal procedure in agrarian crimes, and it is important that in a question affecting law and order there should not be frequent debates. Having made these observations, which I know cannot be pleasant in one part of the House, but which I have made with as little exaggeration of language as I could, I will endeavour to give them a practical character by asking the House to reject the Amendment of my hon. Friend the Member for Newcastle (Mr. J. Cowen), and proceed with the Bill in Committee with all possible dispatch.

Sir R. ASSHETON CROSS: Sir, I do not wish to stand between the House and the division for more than a very few moments; but I think that if ever there was a time when a person ought to speak out he ought to speak out now, and he ought to speak out unflinchingly and without the smallest hesitation, so that there should be no uncertainty of sound, and so that everybody may know exactly what he means, what the House means, and what it does not mean. In my opinion, the present crisis of Ireland is a matter beyond all Party questions; and all Parties, I think, ought to unite for the purpose of restoring order and seeing that there is security for life, for property, and for personal individual liberty in that country. I have said that it is no time for any Party divisions; but I want to make a further observation, which, I am sorry to say, is necessary at the present moment, and it is this—that it is a time when no individual Member of any Party ought, by his speech in Parliament, to show that he wishes to "run with the hare and to hunt with the hounds." It is the bounden and absolute duty of every individual Member, just as it is of every Party, to speak his own mind plainly, and in such a way that his meaning cannot be mistaken by the country; and, to my mind, any Member who, from any reason, makes a speech in favour of law and order, and then makes a number of reservations, either at the end or at the beginning of his speech, is practically a traitor to his country. Let there be no mistake at all about it. It is not a question of Party advantage or of individual advantage. If any man thinks that by making a speech in a particular way he can gain a certain number of votes among his constituents he is absolutely, in my opinion, committing a crime in making that speech; for I think that if ever there was a time when every man ought to speak his mind without the slightest reservation, it is this. Now, there are certain things we are all agreed upon, and on which we ought to insist, and that is that, throughout the whole of the country, whether England, Ireland, Scotland, or Wales, there ought to be the greatest possible amount of personal individual liberty of action that can, consistently with the welfare of the State, be established. We ought to do everything to respect the sanctity of the home, and to take care that every man shall, if he likes, do what he likes. [*A laugh.*] The hon. Member who laughs is rather premature. What I mean is this, and nobody will deny it—that everyone who wishes to do that which he has a right to do by the law of the land should be allowed to do it free from any molestation on the part of anybody. I will go further than that. People have been interfered with. We have to deal with cases where persons, bound to do certain things by their own solemn covenant and agreement, have not been allowed to perform that which they promised faithfully to do; while other persons, on the other hand, have been compelled to do things against the law which they did not wish to do. Again, others have been compelled to do things against the law which nothing would ever have induced them to do if they had not been subjected to such terrorism that they were bound, under the influence of that terror, to do them. I say that, under these circumstances, we are all bound to give the heartiest support to the Government of the day—I do not care what Government it is—in order to provide that this state of things shall cease, and that the country may know, from one end to the other, that we are determined it shall cease. The hon. Member for Tipperary (Mr. Dillon) made a speech yesterday, which I regret I was not privileged to hear, owing to other engagements, but which I have attentively read from the best reports I could get; and I think, if anything was wanting to convince hon. Members of the truth of what I am saying, that speech showed plainly that there are persons connected with Ireland—and I am sorry to say that the hon. Member for Tipperary is one of them—who, in my opinion, hold out doctrines to the Irish people which are subversive of all law and order, and of all government. I did hear and I attended very carefully to the speech of the hon. Member for the City of Cork (Mr. Parnell) to-day, and I am bound to say that that speech surprised me. I was surprised the hon. Member should say that, without any consultation with the person who delivered the speech yesterday, to which I have referred, he was going to present to the House his own construction of that speech, and of the sentences which he quoted from it, and should declare that that was the light in which it would be looked at in the country, when everybody in the House, except the hon. Member for the City of Cork himself, knew that that was not the construction the hon. Member for Tipperary put upon it. The hon. Member for the City of Cork repeated sentence after sentence from the speech of the hon. Member for Tipperary, and put upon it a construction which nobody who heard it could put upon it, and which no man in Ireland would put upon it. Then, I say, we are bound to take the speech of the hon. Member for Tipperary, in spite of the interpretation sought to be put upon it by the hon. Member for the City of Cork, as expressing the real views of the persons in Ireland, with whom, I am sorry to say, we have to cope. Then, what is our duty to-night? I should not have risen to address the House, but for certain observations which have been made by some of my hon. Friends behind me, but which, I think, have been entirely answered by my right hon. Friend who sits near me. I will not quote his words, but I reiterate the spirit and letter of every word which fell from my right hon. Friend in answer to the speeches which have been made. Having said that, and having assured the Government of every support we can give them in that which we believe to be absolutely necessary for the well-governing of the country, I am bound to say that there are one or two observations which I am called upon to make, and I make them with regret. Although the provisions of the present Bill are very severe—and I feel bound to support them for the reason I have given—I am myself strongly of opinion that if the action of the Government a year and a-half ago had been totally different, you would never have wanted those severe measures which have now become necessary. We have now, I am sorry to say, seen, without the smallest doubt—for there cannot be the smallest doubt—the revival of the secret societies in Ireland. Everybody had hoped that those societies had gone. ["Oh!"] I can only give my opinion, and I feel bound to give it, painful though it may be. My attention has been called to the subject, and I desire to say that, in my opinion, it is through the action of Her Majesty's Government that these secret societies have been revived again; and it is because in consequence of that action on the part of Her Majesty's Government these secret societies have been revived again, that we are bound now to support them in this very stringent measure for the purpose of putting such societies down. I have only to make one request to the Government in return for the support we most willingly and ungrudgingly give them, and that is, that if these enormous powers are granted to them we shall have some positive assurance that they will be acted upon; that when they have these enormous powers—and enormous they are—they will not flinch from exercising them, as far as it is necessary to do so, for the purpose of maintaining law and order and good government. Unless we have an assurance to that effect, I think we ought to hesitate before we consent to grant the powers they ask; and it is only on the clear understanding that they will use them, as we mean them to use them, for the purposes of law and order, and no further, that we consent to give them. There is another question on which I think I am entitled to make an observation. The Government, after mature deliberation, have placed this Bill in its present shape upon the Table of the House. The right hon. and learned Gentleman the Secretary for the Home Department (Sir William Harcourt) assured us, as I understood the other day, when he introduced this Bill, that its main provisions had been determined on by the Government long ago. The Bill, therefore, is presented to us in the form in which the Government intended to present it long before the terrible outrage we all so deeply deplore occurred; and it had long been the deliberate policy of the Government to present the Bill in its present form. I am not, I think, misrepresenting the right hon. and learned Gentleman's statement. All I can say, if that is so, is that the Irish Party have been somewhat ill-used by Her Majesty's Government, who have kept this measure back, intending to come down on them with these terrible clauses, after disposing of the rest of their Bills. But having presented the Bill, and having determined, after calm deliberation, upon its provisions, as those which the necessities of the case require, we have a right to demand that, in regard to the material points, when we get into Committee they will not flinch from the Bill they have placed upon the Table. I do not think that that is an unreasonable demand to make, because, if, after the most mature deliberation, they do come to ask for such excessive powers, I am quite sure no Government would ask for them unless they had most deliberately considered the whole question; and if they flinch from the exercise of the powers they have asked for, they will have to give the strongest reasons for having put them in the Bill. We shall watch with all vigilance to see that they do not recede from the steps they have taken. Otherwise, we shall have to ask whether they really are in earnest, after all, as to the course they invite the House to take? I do not think, having said that, that I ought to detain the House further. But I think the Government are bound—and these are the last words I shall say, and they are identical with the words which fell from the right hon. Gentleman who has just spoken—I think the Government are bound to enforce the existing law ; I think they are bound to preserve order, life, liberty, and property. If they do so, they will have our support; but do not think, because I say that, that we are not also in favour of remedial measures. I am sorry we differ, and we do differ very essentially, from the remedial measures the Government have proposed. We say that they are utterly inadequate to meet the emergency of the case, and that in the course of time, instead of diminishing, they will aggravate the evil. We say that the proper course, as far as remedial measures are concerned, lies in a totally different direction. It is impossible, under existing circumstances, that the population of Ireland can exist on the soil and continue to flourish. We say, in many cases, that it would be wise and proper that the tenants of Ireland should be able to purchase the holdings they enjoy, provided they can show that when they have purchased them they will be in a condition to flourish and exist; but we are also of opinion that it will not be of the smallest use to enable the poor cottier tenants in the West to purchase their holdings if, when they have got them, and with no rent to pay upon them, they found themselves unable to exist upon them. In my judgment, it would do more harm than good to permanently fix a tenant upon a holding too small to support himself and his family. But, although the Conservative Party may differ entirely from the remedial measures the Government have proposed, Her Majesty's Ministers may entirely rely upon our thorough and hearty support in those measures for the preservation of law and order which it is the primary duty of any Government to enforce.

MR. T. P. O'CONNOR said, he only intended to say a few words upon the Bill now before the House. He did not know whether the Chief Secretary for Ireland was to be congratulated on the speech to which they had just listened. The right hon. Gentleman appealed to the English Members—he was careful to say so—to help Her Majesty's Government in passing this Bill, and he congratulated the right hon. Gentleman upon the cordial support which was offered to him by the English Tories against the liberties of Ireland. The right hon. Gentleman (Sir R. Assheton Cross) had given some indication of the manner in which they were to expect a Bill of this kind to be worked. He described any hon. Member who made a speech which in any way contained a reservation in regard to the Bill as a traitor to his country. He should like to know what treatment the hon. and learned Gentleman the Member for Plymouth (Mr. E. Clarke), who sat behind the right hon. Gentleman, and what treatment the hon. Gentleman the Member for the Tower Hamlets (Mr. Ritchie), would get if the definition of treason accepted in Ireland were the definition of the right hon. Gentleman? But the House would not forget this, that one of the charges left to the Judges under the Bill was the charge of treason, and that charges of treason would be investigated by gentlemen of the same large political toleration as the late Home Secretary (Sir R. Assheton Cross). The right hon. Gentleman stated that secret societies had largely increased within the last six months or the last year, and urged that that was an argument in favour of this new Coercion Bill. That was to say, that because one Coercion Bill had increased secret societies, they should therefore introduce another Coercion Bill in order to put down secret societies. This reasoning was about on a par with the argument of the right hon. Gentleman the Chief Secretary for Ireland, when he spoke in terms of disparagement of the present jury system in Ireland, when the right hon. Gentleman came to give the facts and reasons for his sweeping condemnation of the jury system. And what were those facts and reasons? The right hon. Gentleman said there had been 30 murders in Ireland which had gone unpunished. That was to say, that the juries of Ireland were to be condemned because they did not find men guilty of murder who were never brought before them. Then, again, with regard to the Press Clause. Arguing in favour of that clause, the right hon. Gentleman said everybody would be at liberty in Ireland to write whatever he liked in a newspaper, provided that he did not incite to violence and murder. But that was not the meaning of the language of the clause in the Bill. The words of the clause were not, that a man was at liberty to write anything he liked, but anything he liked which happened to be pleasing to the Lord Lieutenant for the time being. The words of the clause were as clear and distinct as words could be—

> "Where *after the passing of this Act* any newspaper wherever printed is circulated or attempted to be circulated in Ireland, and any copy of such newspaper appears to the Lord Lieutenant to contain matter," &c.

Or, in other words, the Lord Lieutenant, like the Czar of Russia, or General Ignatieff, was to be the arbiter of what was incitement to crime or violence in Ireland. In the same way, public meetings were to be held, if the Lord Lieutenant liked. In a similar manner, anybody was at liberty to walk out into the country or in the street at any hour of the day or night, if the policemen would allow him. There was not a single act of individual liberty, or of political association, which was not permissible under the Bill, if the Lord Lieutenant would permit it. But surely it was a new and strange doctrine to be preached in that Assembly, which, with a momentary forgetfulness of that recollection for which he was so remarkable, the Prime Minister called "the Temple of Liberty." What was the chief article of the Liberal Creed—[An hon. MEMBER: Coercion!]—of which he was a follower, as well as the right hon. Gentleman? The chief article of the Liberal Creed was that they should not leave the liberties of the people to the discretion of any Executive, however much they might be prepared to confide in it. The Chief Secretary for Ireland came there and gave the House an assurance of his good intentions, and the good intentions of Lord Spencer. He had not the smallest doubt of their good intentions. He spoke with respect of the right hon. Gentleman, because he felt it; he spoke with respect of Lord Spencer for prudential reasons. The moment this Bill passed, every word he might speak, every article he might write, every agitation he might engage in, must subject him to the good-will and pleasure of Lord Spencer. Therefore, he spoke of the noble Lord with the deepest reverence and respect. There was one point which appeared to him not to have been brought out in any of the numerous eloquent speeches which had been delivered against this Bill—namely, the completeness of the measure. Hon. Members had pointed out many points on which the Bill was open to objection; but it was not to the Bill in detail, so much as to the Bill taken as a whole, that he objected. Taken as a whole, he was prepared to say that there was not a single act of individual life in Ireland that was not menaced by it. Supposing his hon. Friend the Member for Longford (Mr. Justin M'Carthy), who was a romancer by profession, were to visit the town which he (Mr. T. P. O'Connor) represented (Galway), and, in the search of some picturesque description, or some scene in which the newest hero or heroine of his latest novel was to figure, were to take a walk in order to see the sun rising over Galway Bay, he could be put in prison under this Bill by the first policeman he happened to meet; or supposing his hon. Friend the Member for Cavan (Mr. Biggar) were, after sunset, to take a walk under the stars—he would not say whether alone, or otherwise—his hon. Friend would be liable to be sent to prison, alone or in company, by the first police-constable he met who happened to be prowling about the road side. But, seriously speaking, he put it to the House—to that "Temple of Liberty" of the Liberal Party—whether they were going to pass a Bill which thus placed the liberty of every man in Ireland at the disposal of every police-constable in the country? It had been argued in the course of the debate that the Bill was only meant for the wrong-doer; and the right hon. and learned Gentleman the late Attorney General for Ireland (Mr. Gibson) asked why any honest man should object to the Bill, seeing that it was directed only against wrong-doers? That was a very strange doctrine. Ten thousand people were to have their liberties violated, their homes outraged—as they could be under this Bill—the freedom of their Press destroyed, the liberty of association taken away, the right of public meeting—the first and primary right of every citizen of the British Crown—gone; 10,000 people might have their rights taken away, in order that the authorities might make a search for one criminal whom they would not succeed in catching.

Let them take the clause in the Bill with regard to intimidation. They had had legislation in this country on the subject of intimidation, and very properly; but let them compare the clauses in regard to intimidation in this Bill with the clauses in regard to intimidation in the Trades Union Act. In the Trades Union Act, intimidation was made illegal; but they were told what intimidation was. The Act went into particulars as to every species of offence that constituted intimidation, and any man could easily tell them what intimidation was. There was also a subsection which told them what intimidation was not; and under that subsection, if he were not mistaken, "picketing" in a modified form was allowed to be legal and was actually practised, he would not say whether justly or unjustly, in this country. But in the present Bill intimidation included any word spoken or act done "calculated" to put any person in fear or to injure him in his business; and in the judgment of such a man as Mr. Clifford Lloyd, upon whom he was sorry to hear the right hon. Gentleman the Chief Secretary for Ireland pronounce a warm eulogium, the word "intimidation" would assume a very serious aspect indeed. Intimidation, then, was to include any word spoken or act done calculated to intimidate a neighbour or injure him in his business. And where was that clause taken from? It was taken from the Whiteboy Act—the infamous, cruel, and wicked Whiteboy Act—which condemned a man to penal servitude for an offence of the most trivial character. If the right hon. Gentleman opposite wrote to his tailor and complained of the last suit of clothes he received from him, that would be injuring the tailor's business, because the custom of a Gentleman so highly placed as the right hon. Gentleman would be valuable to the tailor; and if the right hon. Gentleman caused a loss to the tailor's business he would come under the provisions of the Bill, if a man like Mr. Clifford Lloyd or some other official of the same stamp had the interpretation of them. ["Oh!"] Hon. Members might cry of "Oh!" but he would put it to them whether acts even more extravagant were not done under the Coercion Act administered by the right hon. Gentleman the late Chief Secretary (Mr. W. E. Forster)? He (Mr. T. P. O'Connor) refused, as far as he was personally concerned, to leave the liberties of Ireland even at the discretion of Lord Spencer and the right hon. Gentleman (Mr. Trevelyan). He thought he was justified in repeating what other hon. Members had said, that this was the most stringent Coercion Bill ever passed in their time. It was as stringent a Coercion Bill as General Ignatieff could have devised—a far more stringent Coercion Bill than Napoleon III. ever obtained; and to such a Coercion Bill it was the duty of every Irishman to give a relentless opposition.

MR. STOREY said, the right hon. Gentleman the late Home Secretary had just applied an epithet to Gentlemen on that side of the House. He did not know to whom he particularly alluded when he spoke of Gentlemen who "ran with the hare and hunted with the hounds," but he presumed reference was made to some Members on that side of the House and others on his own side who devoted half of their speeches to saying that they would vote for the Bill, and the other half to condemning it. He confessed that a good many Gentlemen on that side who rose to support the Government had reversed the conduct of Baalam, the prophet, who was called upon to curse Israel, and instead blessed them altogether, for these Gentlemen rose to bless the Government, and ended by cursing the Bill. The right hon. Gentleman had applied the term "traitor" to these Gentlemen, and insinuated that, probably, their purpose was to win a certain number of votes. Without wishing to offend the right hon. Gentleman, he said he was not afraid of being called a traitor by him or anyone, nor should he be afraid of the imputation being put upon him that he wanted to catch votes, because he was aware that the present heated state of public feeling would not last long. A man who, like himself, represented a constituency of 17,000 electors, 700 of whom were Irishmen, and who, under present circumstances, voted against this Bill, who had always had the votes of these 700 Irishmen, would lose two or three times as many as he gained by taking up a different position; and, therefore, he repeated, that he cared not for the imputation of the late Home Secretary. He could tell the right hon.

Gentleman who were the real traitors to their country. Charles James Fox, a statesman whose words would carry weight with the right hon. Gentleman at the head of the Government, and whose name was honoured on that side of the House, and he believed was now also honoured on the opposite Benches, said in 1782—

> "Had the opportunity offered for gratifying the reasonable requests of Ireland some years ago been seized, had her petition been complied with when she came to the Bar of the House of Commons submissive and obedient, standing on the justice of her claims rather than on her power, this country would have acted a wise course, and would have graciously granted those boons which have been since, as it were, torn from her in a manner exceedingly disgraceful to Great Britain."

They were now in the year 1882, and had not yet learned, nor had the right hon. Gentleman learned, that men like himself, having the influence of a great Party behind him, and having had chances year after year, in quiet times, of meeting the reasonable wishes of Irishmen, were the real traitors to the highest interests of their country. They allowed things to reach a climax; their Successors, more wise and enlightened, tried to carry out a policy of conciliation. And what did the right hon. Gentleman opposite do? Why, he said to the Government—"We will support you as long as you put in the front of battle the policy of Coercion; but you must not flinch. If you flinch, we will not give you further support." He would just say one word about the Amendment of the hon. Member for Newcastle (Mr. J. Cowen), which had been strangely forgotten. Although he was sensible of the kindly way in which the right hon. Gentleman had spoken of his hon. Friend, he would say that he had not spoken of him so strongly as many men in the North of England thought of him, and his hon. Friend's Amendment was one which he could support with his whole heart, for this reason. The hon. Member for the Tower Hamlets (Mr. Bryce), who, he was afraid, was one of the Gentlemen who fell under the censure of the late Home Secretary, said that he would support this Bill. Now, what the hon. Member for Newcastle and others contended was that the Bill contained two principles. There was the principle which was worked out in the clauses directed against crime, and there was the principle worked out in the clauses directed against the legitimate expression of public opinion. To the first of these they had no objection; but with regard to the second their objections extended even to voting against the Ministry. The Chief Secretary to the Lord Lieutenant said there was no intention of interfering with the expression of opinion; but he would put a case to the right hon. Gentleman. At the present moment a great number of evictions were being carried out in Ireland, which, almost without exception, were unjust evictions. ["No!"] Hon. Members said "No!" but his authority for that statement was the right hon. Gentleman the Member for Bradford, who had stated in his place that all the men who could pay their rent had done so, and that those who were now being evicted were men who could not pay. Now, supposing that these tenants called a meeting to consider the conduct of the landlords in evicting their tenants, would they be allowed to hold this meeting? And if the meeting was held, would they be liable to imprisonment, as provided in the Bill? Again, supposing these tenants re-took possession of their holdings—as was done last winter—it was not a very great offence, and yet, under the Bill as it stood, any two magistrates could commit these poor cottiers to gaol for six months without any option or appeal. So far from thinking this Bill was easier than the Act of last year, he thought it was much harder. Under the Act of last year, it was true that men could be imprisoned without trial; but under the present Bill they were brought before persons who were sure to put them in prison. Now, for his part, he could not see what difference there was between being put in prison without trial and being sent before magistrates who were sure to commit to prison after trial. He would not detain the House longer, for he knew that no Member who occupied even 10 minutes in placing his views before the House at such a juncture, could expect to be received with favour; but he besought the House to understand that he and his hon. Friends were extremely sorry that the Ministry had adopted the policy of right hon. Gentlemen opposite, by putting coercion before remedy, and that they should feel it their duty to endeavour to minimize the Bill, even though they were called traitors for so doing.

MR. HEALY said, in reference to the statement of the Chief Secretary for Ireland, that in Ireland a man had as much liberty as he liked, so long as he did not excite to outrage and intimidation, that the late Chief Secretary for Ireland (Mr. W. E. Forster) had arrested 14 men connected with *United Ireland*, the editor of *The Leinster Leader*, the editor of *The Roscommon Messenger*, the editor of *The Boyle Herald*, the editor of *The Tipperary Independent*, the editor of *Tipperary*, and two correspondents and a reporter of *The Wexford People*. He desired to remind the right hon. Gentleman the Chief Secretary for Ireland of the pledges given by the late Chief Secretary, and which were broken; and to remind him of the pledges he himself had now given, and which, no doubt, would be equally broken.

MR. CALLAN said, he thought it desirable, in view of the adjournment of the House for the Whitsuntide Holidays, that the attention of the Irish constituencies should be directed to the votes of the Irish Members, and to the absence of some Irish Representatives from this debate. He held that the absence of Irish Members from the division to-night was—and their absence from the divisions in the course of the Committee still more would be—more cowardly and more reprehensible than the votes of Members even hostile to them. It was desirable that the Irish people should know what Members voted against their interests, what Members were untrue to the trust reposed in them, and what Party had broken their pledges with respect to legislation for Ireland. Living, as he did, on the borders of Ulster, he thought it desirable that the attention of the Catholics of that Province should be directed to the votes given by their Representatives, and taking a sketch of the Division List on the second reading of this Bill—["Question!"]—the question was how Irish Members in an especial manner should vote upon this Bill? This was a Bill especially affecting the Catholics of Ulster. There had been cries for Conservatives and cries for Liberals, but he recognized no difference between Parties if they voted for this Bill; and it was a strange thing to find that both the Members for the Catholic county of Monaghan—which contained probably more Catholics than all the non-Catholic counties put together—had voted for the second reading of this Bill. Would they, to-night, have the courage of their convictions? Would they vote against the Amendment of the hon. Member for Newcastle (Mr. J. Cowen), or in his favour? Would they, instead of having the courage of their convictions, and voting as they did for the second reading, walk out of the House? Then, again, there was the Catholic constituency of Donegal, unfortunately represented by an Englishman and a Dissenting clergyman.

MR. SPEAKER: I must call upon the hon. Member to address himself to the Question before the House.

MR. CALLAN said, that, in view of this abrogation of Irish liberty, in view of the onslaught contained in this Bill upon trial by jury, and in view of the enormous power to be given to summary jurisdiction, he had to ask whether the Members for the Province of Ulster, representing one of the most ancient portions of Ireland, and one of the most independent, would, by their action upon this Motion, decide that the Irish Catholics should be deprived of the privileges of the British Constitution, and that the Catholics whom they represented should be deprived of the inalienable right of a British subject to be tried by a jury? Would they by their votes to-night put the liberties of the constituencies at the mercy of the alien anti-Catholic magistrates? He thought this was a very fair question to raise pending the adjournment of the House; for he held that any Member of Parliament who voted for the abrogation of trial by jury, who voted for prohibiting the right of public meeting and suppressing the Irish Press, who voted for giving this inordinate power to the Resident Magistrates, and who voted for the suppression of Irish liberties, should have the attention of his constituency directed to him individually. While a few of the Ulster Conservatives had been remarkable for their abstinence from voting on some of these occasions—and a few had voted in favour of the second reading—the so-called Ulster Liberals had supported the Bill.

MR. SPEAKER: The hon. Member is confining himself to lecturing certain Members of this House. I have invited him to address himself to the Bill before the House, but, instead of attending to my invitation, he is repeating that course.

Mr. CALLAN said, he would, as he had always done, unreservedly bow to the direction of Mr. Speaker. What he wished to direct attention to was that, whilst the Conservative Members from Ireland had adopted one policy, the so-called Liberals had adopted another policy. In Ulster the provisions of this Bill were more objectionable than in any other part of Ireland, for in that Province there was no deterring influence over the Resident Magistrates. There were no local Catholic gentry in Ulster who would exercise any deterring influence in regard to the objectionable portions of this Bill, and, therefore, he had directed his attention to that district. Last year the right hon. Member for Bradford (Mr. W. E. Forster) had pledged himself that the powers then intrusted to him would be exercised with fairness and discretion; but what was the fact in regard to his county (Louth)? Although those powers were intrusted to the right hon. Gentleman in March of last year, he never exercised them in that county until last December, and then he proclaimed the county under the Arms Act. But at the first meeting of the magistrates of the county, the Resident Magistrate said he had lived in the county for 10 years, and did not know a more peaceful district in Europe; and he was at a loss to know why it had been proclaimed. If the late Chief Secretary for Ireland —the conscientious Chief Secretary— used his powers so unfairly, so injudiciously, and so irritatingly, might not the present Chief Secretary do the same? But he had more confidence in the present Chief Secretary than he ever had in the late Chief Secretary, and he believed the right hon. Gentleman would conscientiously exercise his powers; but were those powers to be given to him? He was a young man, and young men were easily led astray. The old veteran, who helped to turn the late Government out of Office, exercised those powers so injudiciously and so injuriously that he did not believe any Irish Member would be able to give to any other man the same powers, and, therefore, he objected to the Bill.

Question put.

The House *divided:* — Ayes 344; Noes 47: Majority 297. — (Div. List, No. 101.)

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee; Committee report Progress; to sit again *To-morrow*, at Two of the clock.

CONVEYANCING BILL—[*Lords.*]

(*Mr. Henry H. Fowler.*)

[BILL 121.] SECOND READING.

Order for Second Reading read.

Mr. H. H. FOWLER, in moving that the Bill be now read a second time, explained that the object of the measure was to supply several omissions in the Act of last Session. In that Act several points had not been dealt with. They had been left over, owing to pressure of Business, until they could be thoroughly considered; and it was proposed now to deal with them in this Bill. He would suggest that the Bill should be read a second time, and then referred to a strong Select Committee, in order that it should be fully and carefully considered before being submitted to the House.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. H. H. Fowler.*)

Mr. GREGORY said, he hoped the measure would be read a second time, and that it would be referred to a Select Committee, as there were points in it which required very serious consideration.

Motion *agreed to.*

Bill read a second time, and *committed* to a Select Committee.

COUNTY COURTS (IRELAND) BILL.

(*Mr. Findlater, Mr. Givan, Mr. Patrick Smyth, Mr. Thomas Dickson.*)

[BILL 169.] CONSIDERATION.

Bill, as amended, *considered.*

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) moved, in page 2, after Clause 6, to insert the following clause:—

(Appeal from Recorder of Dublin.)

"Appeals in civil bill cases from the Recorder of Dublin shall be to the Court to which such appeals lie at the time of the passing of this Act, but in other respects shall be regulated by the enactments contained in this Act."

Motion *agreed to.*

Clause *added* to the Bill.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) moved, in Clause 8, line 10, after "57," to insert "and the sixty-ninth section of the 23 and 24 Vic. c. 154."

Amendment proposed,

In Clause 8, line 10, after "57," insert "and the sixty-ninth section of the 23 and 24 Vic. c. 154."—(*Mr. Attorney General for Ireland.*)

Question proposed, "That those words be there inserted."

COLONEL NOLAN asked for some explanation of the Amendment.

MR. HEALY said, it was now proposed to make a change in the Leases Act of 1860. They were entitled to view any change in the Land Law with suspicion.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, the Amendment was made in order to preserve the law exactly as it was at present, and to prevent a change being made by the Bill.

Question put, and *agreed to.*

On the Motion of The ATTORNEY GENERAL for IRELAND, Amendment made in Clause 8, line 13, after "provided," by inserting "The fifty-fifth section of 'The County Officers and Courts (Ireland) Act, 1877,' is hereby repealed."

Bill to be read the third time *To-morrow,* at Two of the clock.

SUPREME COURT OF JUDICATURE ACTS AMENDMENT BILL.—[BILL 154.]

(*Sir Hardinge Giffard, Mr. Butt, Mr. M'Intyre, Mr. Charles Russell, Mr. Inderwick, Mr. Webster, Mr. Buchanan, Mr. Gregory.*)

COMMITTEE. [*Progress 24th May.*]

Bill *considered* in Committee.

(In the Committee.)

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he had now to formally move "that the Chairman do report Progress," and he would state the reasons why he made the Motion. As the Bill now stood he must offer it his opposition, because, as the Committee were aware, it would render the working of the Courts impossible. At present the Judges had power to make certain rules and regulations, some of which were very important, and others of which related to mere matters of detail in connection with the Courts. It would be unwise for the House to refuse power to the Judges to make rules and orders for the regulation of their practice. The Bill would to a certain extent take away such power, because a rule or regulation could not come into operation until it had been laid on the Table for a given period. For instance, if the Judges on the 1st of July in any year saw the necessity of making a rule to meet any emergency, and if the House happened to rise on the 10th of August, the new rule could not come into operation until 40 days of the next Session of Parliament had expired, so that for eight months of the year the new rule could not apply. There would not be between the 1st of July and the 10th of August 40 days during which, as the Bill provided, the matter could be discussed; and if the House met on the 7th of February in the following year, the new rule could not be sanctioned until after the 20th of March. He felt that this was a matter which would raise so much difficulty that the Bill could not be agreed to. He could not, however, disguise from himself the fact that the Bill of the hon. and learned Gentleman (Sir Hardinge Giffard) was chiefly aimed at one state of things. There had been a rumour afloat that the Judges intended to make such alterations in procedure as would practically abolish in some cases trial by jury. There were some Members in the House who were adverse to delegating to the Judges the functions of the Legislature, and to allowing them, by order, to alter and change the Constitutional mode of trial. He did not wish to enter upon the question, for it was a fair one for discussion. The Bill, however, went far beyond that object, and applied to all regulations that the Judges might be disposed to make. What he had to suggest was that the Chairman should report Progress, and ask leave to sit again. If that were done, he would confer with his hon. and learned Friend, and would consult the Lord Chancellor as to whether something could not be done to meet the wishes of the hon. and learned Gentleman. He did not think the hon. and learned Gentleman would lose anything by consenting to Progress being reported, because he (the Attorney General) did not make the Motion with any other desire than to see if the Government could not meet the views of the promoters of the Bill.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Attorney General.*)

Sir HARDINGE GIFFARD said, he quite agreed that, under the circumstances, it would be desirable to report Progress. He must, however, protest very strongly against some of the observations made by the Attorney General; and in agreeing to report Progress, it must not be understood that he assented to the views entertained by the hon. and learned Gentleman in regard to the Bill. The Bill only dealt with such orders as were required by Act of Parliament to be laid before Parliament. An Act of Parliament had delegated to the Judges the power to make laws for their own procedure, and the only alteration now proposed was that those laws should be laid on the Table of both Houses, and then, by an Address of each House, Her Majesty should or should not affirm them. It was quite true that inconvenience might arise in the case cited by the Attorney General; but it was equally true that inconvenience and danger might arise if the rules were allowed to be enforced without the approval of Parliament. For instance, if a rule were made on the 11th of May, and Parliament adjourned on the same day, the rule would become law at once, and it could not be altered until Parliament re-assembled. He was satisfied that when the Legislature intrusted these powers to the Judges, it was under the belief that the powers were not so extensive as had since turned out. There was now a general feeling on both sides of the House that the powers should be limited. In assenting to report Progress, it must not be understood that he assented to the notion that it was only against the power of the Judges to abolish, in some cases, trial by jury, that the Bill was aimed. He thought the abolition of appeal from Judges by themselves was even worse than the abolition of trial by jury. The majority of Judges, he believed, were very much against it, and it was only by a committee of Judges that the change was contemplated. A small number of Judges, finding appeals from themselves extremely inconvenient, suggested that, in certain cases, appeals should be entirely abolished. He thought that was an extremely undesirable thing, and he would do what he could to prevent such a very grave and mischievous alteration.

The SOLICITOR GENERAL (Sir Farrer Herschell) said, he thought his hon. and learned Friend (Sir Hardinge Giffard) was under a complete misapprehension. The learned Judges had no power to make any rule of the sort he had described, and he did not know that they intended to do so. The Judges could modify a rule, but they had no power to modify a provision of an Act of Parliament.

Sir HARDINGE GIFFARD said, he was very glad to hear the Solicitor General say that that was so; but he thought it should be put beyond all doubt.

The ATTORNEY GENERAL (Sir Henry James) said, his hon. and learned Friend had introduced a Bill to meet a state of things which did not exist. He was afraid there was not much chance of an agreement; but he would do his best to meet the wishes of the hon. and learned Gentlemen.

Mr. BUCHANAN said, that, as his name appeared on the back of the Bill, and as a Scotch Member, he wished to say a word with regard to the Bill. In Scotland they had experienced great disadvantage in consequence of the rules made by English Judges. Rules were made by the Judges under the Judicature Act of 1875 with regard to service of writs out of the jurisdiction; and on account of the dissatisfaction which they caused, an appeal was made to the Home Secretary and to the Lord Chancellor. Under one of these rules, the jurisdiction of the English High Court was extended practically over all Scotland; and though, after the appeal he had mentioned, the rule was altered, and there was a slight diminution in the number of cases in which Scotchmen were injuriously affected, the diminution was merely temporary, and at the present time Scotchmen were being continually cited on frivolous pretexts before the English High Court. The grievance was not only felt keenly by the legal societies in Scotland, but by the commercial classes, especially the small traders. He hoped the hon. and learned Gentleman

(Sir Hardinge Giffard) would press the Bill.

Question put, and *agreed to.*

Committee report Progress; to sit again upon *Monday* 5th June.

MIDDLESEX LAND REGISTRY BILL.

On Motion of Mr. HOPWOOD, Bill to extend and improve the Middlesex Land Registry, and to amend the Law relating thereto, *ordered* to be brought in by Mr. HOPWOOD, Sir THOMAS CHAMBERS, Mr. GREGORY, and Sir SYDNEY WATERLOW.

Bill *presented,* and read the first time. [Bill 184.]

House adjourned at a quarter before Two o'clock.

HOUSE OF COMMONS,

Friday, 26*th* *May,* 1882.

The House met at Two of the clock.

MINUTES.]—PUBLIC BILLS—*Ordered—First Reading*—Local Government Provisional Orders (No. 11) * [186].

Second Reading — Land Drainage Provisional Order * [164]; Local Government (Ireland) Provisional Orders (No. 2) * [165].

Committee—Prevention of Crime (Ireland) [157] —R.P. [*First Night*].

Third Reading—County Courts (Ireland) * [169], and *passed.*

PRIVATE BUSINESS.

PRIVATE BILLS.

Resolved, That Standing Orders 129 and 39 be suspended, and that the time for depositing Petitions against Private Bills, or against any Bill to confirm any Provisional Order, or Provisional Certificate, and for depositing duplicates of any Documents relating to any Bill to confirm any Provisional Order, or Provisional Certificate, be extended to Thursday 1st June. —(*The Chairman of Ways and Means.*)

STANDING ORDERS.

Standing Order 26, read and amended, by adding, at the end thereof,—

And, in cases where the work is to be situate on the banks, foreshore, or bed of any river having a Board of Conservators constituted by Act of Parliament, a copy of the plans and sections shall, on or before the thirtieth day of November immediately preceding the application for the Bill, be deposited at the office of the Conservators of the River, and, if the plans include any tunnel under or bridge over the river, the dimensions as regards depth below bed of the river, and span and headway, shall be marked thereon; and such plans shall be accompanied by an ordnance or published map of the country over which the works are proposed to extend or are to be carried, with their position and extent or route accurately laid down thereon.

New Standing Order, to follow Standing Order 34,—

Resolved, That, on or before the twenty-first day of December a printed copy of every Bill of the second class, whereby it is intended to authorise the construction of any work on the banks, foreshore, or bed of any river having a Board of Conservators constituted by Act of Parliament, shall be deposited at the office of the Conservators of the River.

Ordered, That the said Resolution be a Standing Order of the House.

Standing Order 73, read and amended, by adding at the end thereof "but, in the case of a Bill for confirming any Provisional Order or Certificate, he shall not give such Notice until after the Bill has been printed and circulated."

New Standing Order to follow Standing Order 208,—

Resolved, That every Bill for confirming Provisional Orders or Provisional Certificates shall, after the Second Reading, stand referred to the Committee of Selection, or to the General Committee on Railway and Canal Bills, as the case may require, and be subject to the Standing Orders regulating the proceedings upon Private Bills, so far as they are applicable: Provided That, when any Order or Certificate contained in any such Bill is opposed, the Committee to whom such opposed Order or Certificate is referred shall consider all the Orders or Certificates comprised in such Bill.

Ordered, That the said Resolution be a Standing Order of the House.

Standing Order 210 read, and amended, in line 6, by leaving out "the Report of the Examiner on such Bill," in order to insert "the Examiner shall have given notice of the day on which the Bill will be examined" instead thereof.

Standing Order 225a read, and amended, in line 4, by leaving out from "Private Bills," to the end of the Standing Order.—(*The Chairman of Ways and Means.*)

MOTION.

PARLIAMENT — ADJOURNMENT OF THE HOUSE—THE WHITSUNTIDE RECESS.

MR. GLADSTONE moved — "That this House, at its rising, do adjourn until Thursday 1st of June."

SIR H. DRUMMOND WOLFF wished to say a few words on this Motion, which appeared to him to be brought forward at the wrong moment, because it ought to have come after the Questions, and not before them. He thought the Prime Minister had made a mistake. He supposed the Motion was brought on at that particular moment to prevent certain Questions being asked about Egypt. ["Order!"] What did hon. Gentlemen opposite mean by calling out "Order?" He thought he was in Order, and that he was perfectly entitled, on this Motion for Adjournment, to ask the Questions which had been in this manner entirely overlooked. But he would ask the Speaker, first of all, if he was not in Order?

Mr. SPEAKER: Does the hon. Member ask whether it is in Order to make this Motion before the Questions? Is that so?

Sir H. DRUMMOND WOLFF: Yes.

Mr. SPEAKER: I am bound to say that the more regular course will be to make the Motion after the Questions have been asked.

Mr. GLADSTONE: Then, Sir, for the present I withdraw the Motion; but I need hardly assure the hon. Gentleman that in offering it for the approval of the House at the time I did there was no plot whatever in the matter. I will bring the Resolution on again after the Questions?

Motion, by leave, *withdrawn.*

QUESTIONS.

LAW AND JUSTICE (IRELAND)—THE COUNTY COURT JUDGE OF DOWN.

Mr. BIGGAR asked Mr. Attorney General for Ireland, If his attention has been drawn to an article in the "Newry Reporter" of the 27th ultimo, in which great complaints are made of Mr. Lefroy, County Court Judge for Down, and if he will make inquiry into the charges?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): The County Court Judges are independent Judges, and I must entirely disclaim any authority whatever to inquire into their judicial action. In this instance, however, the learned Judge has favoured me with the facts, and, therefore, I shall answer the Question of the hon. Member, but without making it any precedent for the future. It is alleged that at Newry the Court does not sit until half-past 12 o'clock, and that the Banbridge Sessions were adjourned on the 26th of April to the 27th of April. As to the Newry case, it was at the request of the jurors, and in order to allow of the arrival of the 12 o'clock trains, that the Court sat at half-past 12, instead of 10 o'clock; and as to the Banbridge case, the learned Judge having been summoned as a witness was unavoidably unable to be in Banbridge, and the Sessions were, therefore, duly adjourned to the following day, pursuant to the Statute. Notice of the adjournment was published in the newspapers, and postcards were circulated among the jurors to prevent inconvenience ensuing.

ARMY (AUXILIARY) FORCES—THE IRISH MILITIA—PAY AND ALLOWANCES.

Mr. HEALY asked the Secretary of State for War, Whether any delay has taken place in the receipt by the men of the Irish Militia of their pay and allowances this year; and, if he can state when they will be paid?

Mr. CHILDERS: No, Sir. On the contrary, they will be paid this year a month earlier than usual — that is to say, in the present month and in June. Usually these payments are in June and July, and even August.

CRIMINAL LAW (IRELAND) — CASE OF JOHN M'CORMICK.

Mr. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it has been brought to his notice that one John M'Cormick, a farm servant in the employment of Mr. Philip Hall, of Templehouse, county Sligo, has been committed by the magistrates of the Petty Sessions District of Coolaney, in that county, to stand his trial at the next assizes, on two charges, namely, the mutilation of a heifer belonging to his employer, and the writing and posting of threatening letters addressed to his employer and to himself; whether this M'Cormick was in the habit of communicating with the local constabulary, and whether he gave them any pretended information with reference to outrages or intended outrages, and received any reward, in pursuance of a constabulary circular inviting such information, and offering such rewards, issued whilst the right honourable Member for Bradford was Chief Secretary to the Lord Lieutenant of Ireland; whether the circular in question continues to be still in force; and, whether M'Cormick lately caused the arrest of two young men named Healy and Cawley, on a charge of robbing him of a pistol, and whether the charge is to be proceeded with?

MR. TREVELYAN: The matter referred to in this Question has not been brought to my notice; but on seeing the Question when it appeared yesterday morning I at once telegraphed for information. In reply I have received a report by telegraph from the Sub-Inspector at Ballymote, stating that John M'Cormick has been committed by the magistrates to stand his trial at the next Assizes on the two charges mentioned in the Question of the hon. Member. The Sub-Inspector further states that this man did not communicate anything to the local constabulary, and gave them no information with reference to outrages or intended outrages, and received no reward, nor was he promised any. He did lately cause the arrest of the two men on a charge of robbing him of a pistol and for assault, on which charges they have been bailed to appear at the next Petty Sessions.

MR. SEXTON asked if the charge would be proceeded with on the evidence of M'Cormick?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, the information in this case would come before him, and he should decide whether the charge would be proceeded with or not. If the charge was sustained by the information he would direct a prosecution.

EVICTIONS (IRELAND) — EVICTIONS AT CHARLEVILLE — PROHIBITION OF ERECTION OF HUTS FOR PERSONS EVICTED.

MR. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the police authorities at Charleville, county Cork, have forbidden the erection of huts sent there for the use of evicted tenants, and have threatened to arrest anyone who may proceed to erect the huts; if the police have acted in this manner, under what circumstances they have done so; and, whether their action has the approval of the Executive?

MR. TREVELYAN: The huts in question were sent to Charleville Railway Station for conveyance thence to certain places in county Limerick. Informations were sworn that a procession would take place for the purpose of conveying away these huts to their destinations, and that such a procession would lead to a breach of the peace and would intimidate the people of the country; and, further, that people had been intimidated into giving carts for the conveyance of the huts. Upon this information the Resident Magistrate issued orders to the constabulary at Charleville to make all necessary arrangements for preventing any such procession, which was accordingly done. I think that, under the circumstances, the magistrate was justified in stopping the demonstration; but I am not satisfied that there was any justification for preventing the removal of the huts in a quiet and peaceable manner, and I shall have particular inquiries made into this point when I am in Ireland.

THE ROYAL IRISH CONSTABULARY— PAY AND ALLOWANCES— LEGISLATION.

MR. GIBSON asked the Chief Secretary to the Lord Lieutenant of Ireland, When will the Bill relating to the pay and allowances of the Royal Irish Constabulary be introduced; will that Bill deal with the case of constables as well as inspectors; and, will it take into account the claims of the inspectors and sub-inspectors for their extra labour and expense during the last eighteen months; and, if not, is it intended to leave without acknowledgment, in the case of inspectors or sub-inspectors, claims which in the case of constables and sub-constables are deemed worthy of a grant of £180,000?

MR. TREVELYAN: Whatever measure it may be found necessary to introduce in order to carry out the recommendations of the Commission which recently sat and inquired into the pay and allowances of the officers of the Constabulary and the allowances of the men will be introduced when the Irish Government and the Treasury have finally settled the preliminaries upon which they are now in communication. The Report deals with the allowances only of the constables, and no Act of Parliament is necessary, consequently, to meet their case. I think I answered the remaining portion of the right hon. and learned Gentleman's Question yesterday. The claims of the officers will be dealt with by a more permanent arrangement.

MR. HEALY wished to know whether constables against whom verdicts of "wilful" murder had been returned by coroners' juries would share in the contemplated rewards?

[No answer was given to the Question.]

EGYPT (POLITICAL AFFAIRS).

Sir WILFRID LAWSON asked the Under Secretary of State for Foreign Affairs, Whether the Government propose to afford the House of Commons any opportunity of expressing its opinion on the policy of armed intervention in Egyptian affairs before the British fleet is called on to take action?

Sir CHARLES W. DILKE: The question of affording opportunities for discussion is rather one for the Prime Minister than for myself; but I may state that it is the opinion of the Government that any discussion on this subject at the present moment would be contrary to the interests of the Public Service.

Mr. ASHMEAD-BARTLETT asked the Under Secretary of State for Foreign Affairs, Whether it is a fact that the Porte has protested to Her Majesty's Government against any political intervention in Egypt which has not previously received the assent of the Sultan, as Sovereign of Egypt, and which is not carried out by the agency of the Ottoman Government; and, whether, in view of this, and of the Sultan's undoubted rights over Egypt, and of the critical condition of that country, Her Majesty's Government will invite the Porte to check the revolutionary party in Egypt? The hon. Gentleman said he wished at the same time to ask the hon. Baronet, If he will state to the House whether the extraordinary document published in this morning's papers, purporting to be an Ultimatum from England and France to the Ministry of the Khedive, requiring that Arabi Pasha should go into exile, with full pay, and that other Ministers should be exiled or resign, is correct; and if it has been really presented on behalf of Her Majesty's Government to the Khedive's Ministry; also, whether it has been so presented with the consent of the Porte?

Sir CHARLES W. DILKE: I must decline to answer the first Question of the hon. Member, for the reasons which I explained yesterday. In regard to the Note which appears in this morning's papers, with the exception of two words, which are inaccurate, it represents a genuine document, though it is not an "Ultimatum."

Mr. ASHMEAD-BARTLETT wished to ask the hon. Baronet if he would state whether the assent of the Porte had been obtained to what had been done?

Sir CHARLES W. DILKE: I must refuse to answer the Question for the reasons already given.

Sir STAFFORD NORTHCOTE: I do not wish to attempt to raise any discussion after what has been said on the part of the Government, or to put any Question which may be of an embarrassing character; but after having been informed that the statement in this morning's papers, which is of a serious character, is substantially accurate, I think we have a right to ask the Government whether there is any further information or explanation which they are able to give, and are disposed to give, before the House adjourns for the holidays?

Sir WILFRID LAWSON: Perhaps when the hon. Baronet answers the Question he will tell us whether the two words which he spoke of as inaccurate make any difference in the meaning of the Note.

Sir CHARLES W. DILKE: No, Sir. No material difference. One of the mistakes is obvious. The word Egypt has been substituted in one place for Europe. I do not wish to answer Questions of that kind, as there would be no end to them. In reply to the right hon. Baronet (Sir Stafford Northcote), I fear that the Government are not in a position to make any further statement at the present time. The right hon. Baronet knows, of course, we are acting in communication with other Governments; and it is impossible for us to make statements here in the present delicate situation of affairs without having obtained the assent of other Governments.

Lord EDMOND FITZMAURICE: Will the document to which allusion has been made be laid on the Table of the House?

Sir CHARLES W. DILKE: As I have stated that it is substantially a genuine document, there can be no harm in laying it on the Table, though I do not know that it would be of any advantage, as we have been unable to lay the Correspondence which would accompany it.

MR. ASHMEAD-BARTLETT: Can the hon. Baronet give us no hope of the production of the Correspondence regarding Egypt on an early day? None has been presented for a considerable time.

SIR CHARLES W. DILKE: No, Sir. Until we have reached a position in advance of the present position of affairs it would be impossible to lay the Correspondence upon the Table, because we should require the assent of foreign Governments, which we cannot at present obtain.

SIR H. DRUMMOND WOLFF: May I ask one Question, which I think it will not be inconvenient to answer? It is, whether Her Majesty's Government have taken any steps to protect British subjects in Egypt beyond merely sending iron-clads to Alexandria? I ask this because the hon. Baronet told us yesterday that he had no information from Cairo. British subjects have left the city in great alarm, and I have that report confirmed from more than one source, and I know that great alarm exists at Cairo among the English as to the present acts of the insurgents. I would, therefore, ask whether Her Majesty's Government are fully satisfied that they have taken every step in their power to protect British interests and the lives and property of British subjects?

SIR CHARLES W. DILKE: We have taken every step recommended by the English and French Agents at Cairo; but we have not received any information from them to the effect that they consider there is any danger.

MR. O'DONNELL wished to inquire, as there was an evident disinclination on the part of the Government to communicate any information with regard to Egypt, whether, during the existence of that disinclination, it would be substantially safe for Members of the House to accept the declarations made in the French Chamber as a sufficiently accurate statement of the effect of the communications between the two Governments?

[No answer was given to the Question.]

CRIMINAL LAW—MICHAEL DAVITT.

SIR H. DRUMMOND WOLFF (in the absence of Mr. GORST) asked the Secretary of State for the Home Department, Whether he is now aware that the speech delivered by Mr. Davitt at Manchester was prepared in manuscript, and copies thereof were handed to the reporters, and that the reports in the Manchester papers are therefore identical; whether Mr. Davitt's statement that he had already broken the conditions of his ticket-of-leave is not, in fact, correct; and, what steps, if any, Her Majesty's Government propose to take in relation thereto?

SIR WILLIAM HARCOURT: I have no information to give the House on the subject of the first part of the Question; and as to the second part, I have no knowledge that Michael Davitt has broken the conditions of his ticket-of-leave; and, therefore, it is not necessary that I should take any steps.

TUNIS—THE CAPITULATIONS.

SIR H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have received any information to the effect that the French Government propose to abolish the capitulations in Tunisian territory; and, if so, if he can state what steps Her Majesty's Government have taken in consequence?

SIR CHARLES W. DILKE: No, Sir; we have not received any information to that effect.

EVICTIONS (IRELAND)—ERECTION OF HUTS FOR EVICTED FAMILIES ON THE ESTATE OF LORD CLONCURRY, NURROE, COUNTY LIMERICK.

MR. DILLON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the police still refuse to allow houses to be erected for the thirty families evicted by Lord Cloncurry in Nurroe, county Limerick; whether the site selected for these houses was some miles distant from the farms from which the tenants had been evicted; whether two Dublin carpenters, who were engaged in erecting these houses, have been arrested and are now in Limerick Gaol, no offence being alleged against them, except their being engaged in constructing these houses; and, whether the Irish Government are prepared to make any statement in reference to police interference with the erection for shelter of evicted tenants in Ireland?

Mr. TREVELYAN: The house or the hut, for the attempted erection of which these two carpenters were arrested, was situate in the immediate vicinity of the farm from which the tenants had been evicted, and separated from it only by a small stream and field. There was talk of an appeal against the order of the magistrates to the Court of Queen's Bench; but it has not been proceeded with, and the carpenters have given the required bail and have been discharged. As regards the general policy of the Government in this matter, I beg to refer the hon. Member to my speech of yesterday, in which I stated that it was the intention of the Lord Lieutenant that all cases with respect to huts should be submitted to him before any action was taken in the matter by the police. If His Excellency is satisfied that these huts are required for the *bonâ fide* purpose of shelter only, and are not intended in any way for purposes of intimidation, he would, I am sure, direct that their erection shall not be prevented.

Mr. DILLON: In consequence of the answer of the right hon. Gentleman, I shall feel compelled to call attention to this matter on a Motion for Adjournment.

Mr. SEXTON: Would the right hon. Gentleman read the terms of the Lord Lieutenant's letter with respect to the inquiry he proposes to make into these cases?

[No answer was given to the Question.]

IRISH LAND COMMISSION—JUDICIAL RENTS—THE RETURN.

Mr. PLUNKET (in the absence of Mr. Tottenham) asked the Chief Secretary to the Lord Lieutenant of Ireland, What has been the cause of the delay in presenting to the House the Return of Judicial Rents fixed by the Irish Land Commission, which the late Chief Secretary stated some weeks since would be distributed to Members on an early day; and, when the Return in question will be distributed?

Mr. TREVELYAN: I am not aware that there has been any delay in presenting this Return to the House. It was presented on the 15th instant; and if delay has occurred in its distribution, the printer in Dublin is answerable for it. I have had a telegram from him stating that it will be forwarded to the Stationery Office for distribution tomorrow.

THE ROYAL IRISH CONSTABULARY—APPORTIONMENT OF THE GRANT.

Mr. FITZPATRICK asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he can inform the House if there is much discontent existing among the officers of the Royal Irish Constabulary at being entirely excluded from the benefit of the recent grant of £180,000, to compensate that Force for its extra expense and labour during the past two years?

Mr. TREVELYAN: Beyond the Questions asked in the House of Commons, I have not received any representations on the subject; and I have learnt by telegraph from the Inspector General that he has received no official communications in reference to it; but that he is aware there is disappointment among the officers.

IRELAND—THE ASSASSINATIONS IN PHŒNIX PARK, DUBLIN—CAPTAIN TALBOT, CHIEF OF THE METROPOLITAN POLICE, DUBLIN.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, on the evening of the Phœnix Park murders, the Chief of the Dublin Police, Captain Talbot, was absent from Dublin, and was only apprized of the tragedy on Sunday morning, at his residence, Shankhill, some ten miles from Dublin; if it is the case that there is no telegraph office at Shankhill; and, if the Government approve of Captain Talbot living so far away from the scene of his duties? The hon. Member observed that in the Question as he had originally placed it on the Paper he had asked, not whether Captain Talbot was absent from Dublin, but whether after the murders he could not be discovered?

Mr. TREVELYAN said, he would read the telegrams he had received in reference to this Question—

> "Captain Talbot having been informed by Mr. Burke on Saturday, the 6th May, that he would not be wanted again until Monday, left for his residence at Shankhill. His house is only three minutes' walk from the railway station, and trains run to Dublin at frequent intervals. There is no telegraph station at

Shankhill, but there is one within two miles, at Ballybrack, where a car is always available. Captain Talbot was informed of the murder at 10 o'clock on Saturday evening, and was in his office in Dublin at 11.15."

The Assistant Commissioner resided in Dublin.

MR. HEALY: I wish to ask whether the Government approve of Captain Talbot living so far away from the city?

MR. TREVELYAN: On that point I cannot answer off-hand. I had not time to communicate with the Lord Lieutenant.

MR. HEALY: I shall ask the Question again on Monday week.

MR. REDMOND: Can the right hon. Gentleman now answer the Question I asked him a few days ago—namely, who were responsible for the withdrawal of the police patrol which was stationed in the Phœnix Park up to the day of the murder; if Captain Talbot is not responsible, who is responsible?

MR. TREVELYAN: The only information I have got with regard to this matter is a telegram to-day, which states that no police patrol were withdrawn from the Phœnix Park on the morning of the 6th of May. I shall, however, make further inquiries into the matter.

MR. O'KELLY asked whether the patrols had been discontinued on the morning before that of the day on which the murders were committed?

[No answer was given to the Question.]

EVICTIONS (IRELAND)—EVICTIONS AT CARRAROE.

MR. DILLON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that 130 families were evicted on the 15th and 16th of the month in the district of Carraroe; whether some of these 130 families, which comprised 300 individuals, are now crowded into the Oughterard Workhouse; and, whether many more are without shelter, while they were absolutely unable to pay any rent at all; and what steps he proposed to take in the matter?

MR. TREVELYAN, in reply, said, it was not from ignorance or want of interest in this matter that he was unwilling to answer the Question. He knew what was the real state of the case; but when it came to a matter of figures he thought it might be better to postpone his answer.

IRELAND—PRISONERS UNDER THE STATUTE 34 EDWARD III., C. 1.

MR. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, following up their decision in reference to the magisterial functions of Mr. Clifford Lloyd, the Irish Executive would consider the cases of the ladies imprisoned in Ireland under the Statute of 1360, 34 Edward III. c. 1; and, whether, upon his return after the Whitsuntide holidays, the right hon. Gentleman would be able to make a statement on the subject?

MR. BARRY said, he would like to have an assurance from the Government that they would consider the question of releasing all the "suspects" now detained in prison.

MR. TREVELYAN said, that with regard to the release of the "suspects," the Government were always glad to have the cases of all persons detained brought before them. The circumstances under which they were confined, and the effect of their release on the districts in which they resided, were now pretty well known to the Government, and careful inquiries were always going on. The hon. Member was aware that within the last fortnight a large number had been released, and every case to which reference was made would certainly be inquired into. With regard to the ladies imprisoned under the Act of 1360, he would state the decision of the Government, whatever it might be, as soon as possible.

MR. HEALY asked if it were the fact that 300 men were still in gaol, and that the number released was only 50 or 60?

MR. TREVELYAN said, that the hon. Member had correctly stated the number in gaol; but the releases during the last fortnight had been nearer 70 than 60.

CRIMINAL LAW—INCITEMENTS TO MURDER.

MR. AKERS-DOUGLAS asked the Secretary of State for the Home Department, Whether his attention has been called to the report of a recent meeting of the Social Democratic Working Men's Club, where a resolution was unanimously adopted approving of the recent murders in the Phœnix Park; and, whether it is the intention of the Government to take any steps in the matter with a view to prevent public incitements to murder?

Sir WILLIAM HARCOURT: I have not seen any report of the meeting to which the hon. Member refers; but certainly the Government will take all means in their power to prevent incitements to murder, in whatever shape they may be made.

MOTION.

PARLIAMENT—ADJOURNMENT OF THE HOUSE—THE WHITSUNTIDE RECESS.

Mr. GLADSTONE: I rise now, Sir, to make the Motion, "That this House, at its rising, do adjourn until Thursday 1st of June."

EGYPT (POLITICAL AFFAIRS) — THE EXISTING CRISIS.—OBSERVATIONS.

Sir WILFRID LAWSON: I feel bound to take advantage of this opportunity of making a few remarks on a matter of great public importance. I am obliged to do so, not from any answer the Under Secretary of State for Foreign Affairs has made to me, but on account of the answer he has not made, because it is impossible to get any information from him at all as to the state of affairs in regard to Egypt. He said five minutes ago that the Government thought it very undesirable that there should be a discussion on the affairs of Egypt. I quite agree in that. I do not want to discuss the affairs of Egypt; I want to discuss the affairs of England. What I want to know is—What is going to be done with our Fleet, for which we are responsible, and for which we pay, and which at the present moment has been sent into these Egyptian waters? I dare say the House remembers very well what happened four years ago when we were going to adjourn for the Easter holidays. There was a critical position in European affairs then, and we Liberals made a very great disturbance. We said that we were not going to adjourn for the Easter holidays until we had distinct declarations from the then Ministers of the Crown that no decisive steps of a warlike character would be taken until the House had reassembled. I remember that some of us were so earnest in the matter that we absolutely divided the House against the Easter holidays; and amongst those who voted in the small minority on that occasion was my hon. Friend the present Financial Secretary to the Treasury (Mr. Courtney). The House did adjourn, because we got some information from the then Leader of the House (Sir Stafford Northcote). He gave information which satisfied the bulk of the House, and the result was that the next morning we heard that the Indian troops had been sent to Malta. I believe there was a misunderstanding in regard to what he said; because the right hon. Gentleman has explained the matter since. But what are we to expect when there is no declaration at all? I think the House is bound to have some understanding as to what warlike steps it is possible may be taken very shortly, and while we are all away in the country, because our ships at the present moment appear to be in a very delicate position. Ships of war, I presume, are intended to make war. It may be all very well to say that there is no intention to resort to force; but after we have read the extraordinary document in all the papers this morning, we may be prepared for anything. It is called in the papers an Ultimatum; but my hon. Friend says it is not an Ultimatum. Well, what is an Ultimatum? These Consuls say that there are three points that they insist upon, and then say that if these points are not agreed to they will exact their due fulfilment. I should like my hon. Friend, when he gets up, to answer—I do not suppose he will answer, but he will say something or other—what an Ultimatum is, if this is not an Ultimatum. We are all utterly at sea in this matter. We have to gather our information by bits and scraps — to drag it out of my hon. Friend with the greatest difficulty—and it is not of much value when we get it. This is what I have been able to get during the last week. I will read it to the House. My hon. Friend told me the other day that—

> "The Fleet was sent to protect life and property; and we hope that its presence will contribute without the employment of force"

—what is the use of sending out a Fleet if it is not to employ force?—

> "to the maintenance of the *status quo* in Egypt and of the Sovereignty of the Sultan."

The Sovereignty of the Sultan! We have the present Ministry sitting there to "maintain the Sovereignty of the Sultan!" It is the old fetish—the independence and integrity of the Ottoman Empire—on behalf of which we have sacrificed millions of money and poured out torrents of blood. That I should live to see the day when a Liberal Ministry should come down to the House and declare that their policy is the maintenance of the independence and integrity of the Ottoman Empire! Then the hon. Member, in his answer, went on—

> "Of the position of the Khedive and of the liberties of the Egyptian people, as well as to improve the development of their institutions and to observe international obligations."

Two or three iron-clads to do that! Really, is this the time, when we are busy in this House with two Bills for the pacification of Ireland—one of them to bribe the Irish people, and the other to put them in a state of siege—when it is all we can do to help in the amelioration of these Irish affairs—is this the time, I ask, for us to be engaged in this enterprize? I do honestly think it would be a great deal better for us to obtain the pacification of Ireland before we set to work on the regeneration of Egypt. This may appear a very slight matter. All wars appear slight when they begin. If you are going to interfere in this matter with the affairs of Egypt, I do not know what end there may be to the amount of blood and treasure you will have to expend before you are done. Now, I have thought it absolutely my duty, before the House breaks up, to make my protest against these extraordinary proceedings. I do not know that it will be of any use. I know the right hon. Gentleman (Mr. Gladstone) can do anything he likes. I do not think the country could have a better man at the head of affairs; but whatever he says, whether it be right or wrong, I believe will receive immense support from the country. But I am not the man to follow even my right hon. Friend the Prime Minister if he is going to initiate the policy again of the maintenance of the independence and integrity of the Ottoman Empire. I consider it is the great glory of the present Government—hon. Gentlemen opposite may not think so, but I am sure hon. Gentlemen on this side will agree with me—I consider that the great glory of the Administration is their policy of non-intervention in foreign affairs. I shall be deeply sorry to see them depart from it on this occasion, whatever may be the plausible reason they may give for doing so. I think it will be only decent—I hope I do not use an offensive word—to give the House some assurance that no warlike steps shall be taken while the House is adjourned, and when hon. Members have no opportunity of expressing their opinion on the matter. That is the only object I have in rising at the present time, and that is the only reason for which I have felt bound to oppose the Motion for Adjournment.

Mr. GLADSTONE: Sir, it would very ill become me to complain of the tone of the speech of my hon. Friend after the more than kind expressions he has used; yet freedom of debate requires me, of course, to comment on that speech, and to notice the points raised. The effect of what my hon. Friend says is that he expects some explanation from the Government on the present question; and I think, perhaps, it is time for me, as representing the Government—considering that my hon. Friend the Under Secretary of State for Foreign Affairs has already made a statement on the subject on his own responsibility—to come forward to share his responsibility by stating what my views upon the subject are. It is only right that I should say that if there be anything to complain of in the answers that have been given by my hon. Friend the Under Secretary on the score of reticence, the blame is in no way due to him individually. My hon. Friend (Sir Wilfrid Lawson) began by imposing upon himself a kind of self-denying ordinance, which I do not believe he was able to observe to the end of his speech. He said he was not going to ask for anything to be said, or to complain of anything that had been said, or to enter into the discussion of the affairs of Egypt; but only to complain in regard to something which had not been said, and which he thought ought to be said. I will first consider what that something is. His desire apparently is that some absolute pledge should be given with regard to the British ships of war which are now in Egyptian waters, which are not there alone, but which are there in concert with the ships of war of France; and certainly with regard to European interests and affairs. He also wishes to have from us an absolute pledge that, during the Whitsuntide Recess, no use should be made of those ships involving the employment of force. He has, I think, in a Question of which he gave Notice, phrased his desire more broadly —that we should not, without previous communication with Parliament, make use of force. The hon. Baronet referred to the occasion four years ago, when application was made to the Conservative Government by some Members of the Liberal Party—I was not one of them—for a specific pledge on a similar subject before the Easter Recess, and when a statement was obtained which was thought at the time to afford a full and perfect guarantee; but a miscarriage occurred, which has since been explained in such a way as to remove all suspicion from the mind of my hon. Friend; but still a miscarriage did occur, and on the strength of the statement my hon. Friend went away with the satisfaction which, he says, was doomed to be dispelled in the course of 24 hours. That experience is of so encouraging a character to my hon. Friend that it leads him to make an application to us for a similar statement, although that statement might, within the range of possibility, issue in a similar miscarriage. My hon. Friend proceeds distinctly on this proposition—though I do not know that he reduces it to a formula—that all that can be said is that a misleading statement is better than no statement at all. I am very doubtful whether it is, and I am prepared, if necessary, to contest the point. Sir, it is not possible for us to give any pledge upon the subject; but, when I say that, it is not with the slightest belief in my own mind that there is any probability of an occasion arising for the employment of force; and, therefore, my hon. Friend may dismiss from his mind any suspicion of the kind. Upon the general subject of demands from the Government for pledges of this kind, I am so far fortunate that I stated my views at a time when I was not in Office, and when the late Government was in Office, and very shortly before the occurrences to which my hon. Friend has just referred. I then said that it was quite impossible for a Government to give any pledge not to do this or not to do that when force was placed at their disposal expressly for the purpose of being used in the interests of the country. While asserting that general proposition, to which I adhere, I likewise said, and now repeat, that it is the desire of Her Majesty's Government, and not only their desire, but, in my opinion, it is the absolute duty of the Government, in all such matters, to act in accordance with what they believe to be the deliberate views of Parliament and the country. There may be cases where their views on the question at issue are beyond, or at variance with, what they believe to be the opinion prevailing in the country. If there be such a case as that, then I think it is their duty to make known to Parliament what their intentions are, unless under circumstances the most extraordinary, before they proceed upon any general views and principles, except such as they feel convinced are known to and approved by the general sense of Parliament and the country. That sense, however, may be either expressed or understood. In this case, we believe that we know perfectly well what is the general sense of Parliament and the country as regards the affairs of Egypt; and I believe, whatever we may do or may not do, it will be found to be in accordance with that general sense. Sir, it so happens that in this instance we have, perhaps, more than the usual facility of judgment; because, in regard to the very delicate situation in Egypt, we are inheritors of what we received from our Predecessors—a complicated difficulty in some respects—a dangerous position—but a position in regard to which I have never felt it to be any part of my duty to bestow any censure upon what was done by the late Government. My general belief is that it arose not only out of what they believed to be the necessity of the case, but probably from —as far as I can judge from a distant view of it—a real necessity inherent in the case. My hon. Friend says it is indeed strange we should become adherents of the doctrine of the maintenance of the independence and integrity of the Ottoman Empire. But why does he introduce that phrase into this discussion? Simply because my hon. Friend near me, the Under Secretary of State for Foreign Affairs, has upon one, or probably more than one, occasion—and

I think he was perfectly right—referred to the maintenance of the Sovereignty of the Sultan over Egypt as one of the objects to which we are bound to have regard. [Sir WILFRID LAWSON: It is in the Ultimatum.] Quite so. What I think is the point to which my hon. Friend refers is that he considers the maintenance of the Sovereignty of the Sultan in Egypt to be the same thing as the general doctrine of the maintenance of the independence and integrity of the Ottoman Empire. I am not going to say anything upon that general doctrine, either for or against it; but I am going to say this—that with regard to the Sovereignty of the Sultan, in our opinion it ought to be respected when it is not abused—that is a moderate statement—a mild statement—and it is part of our duty to respect it. Any attempt to disturb it, in our opinion, in a case of this kind, would not be wise, would not be consistent with good faith, would not be consistent with the views of the other Powers of Europe, or of those of anybody able to deliver a responsible judgment on the matter. We cannot, however, I am bound to say, agree to have our hands tied; and I think anyone who will consider the peculiar character of this question will see that it is right on general principles to decline to give a pledge of this kind, and especially right in the case now before us. My hon. Friend seems to think it is reasonable, when you have ships in foreign waters, to give pledges that they will, under no circumstances, be allowed to employ force. Quite apart from any general doctrine about the integrity and independence of the Ottoman Empire, we found ourselves, on coming into Office, heirs to certain engagements contracted under the Treaty of Berlin. We made it our duty to prosecute, with all the energy we could, a settlement of those questions. There were two very important territorial questions, one relating to the territory of Montenegro, and the other relating to the territory of Thessaly, in connection with Greece. We were able, together with the other Powers of Europe, to bring those questions to a settlement, and to a satisfactory settlement, and we have done much to encourage confidence and security, and to give practical satisfaction and relief from difficulty and grievance to considerable portions of the population in the East of Europe. That was not done by absolute abstention from the exhibition of force; and most certainly was not done under restrictions which would have been imposed upon us if we had been asked at that time to give an absolute engagement under no circumstances to employ force. It is not politic to ask us to enter into such an engagement, and it is not possible, consistent with duty, to give it. The real question—and I now address myself not to the entire House, but to my hon. Friend—is, whether my hon. Friend has good reason to suspect us of pursuing aggressive schemes, of immoderate doctrines, and of notions of self-assertion, or of any other defect on that side of human weakness, which tends to excess in this matter. If he has not, I hope he will refrain from pressing for the engagement he asks from us. In regard to the general question of this discussion, it is, in my opinion, a highly responsible act which is done by the Government, when it requests the House of Commons to refrain from discussing a question of foreign policy; and it is an especially responsible act, I fully admit, when the interest of a question of foreign policy, involving such complications as exist in this case, has been considerably prolonged. Notwithstanding that, I do most earnestly deprecate the discussion of this subject. I do most confidently say that its discussion can do nothing but mischief. We may err—I see no reason why we should—but, rely upon it, it is better even to take the chance of that than to enter upon a discussion, if I am correct in saying that it cannot do otherwise than do mischief. What is the peculiarity of this question? It is not that this question is in itself so very, very difficult to understand and so very, very difficult as to perplex you more than usual in the separation of right from wrong in regard to it. The peculiarity—the great peculiarity—of this question is the multitude of Parties entitled to give responsible opinions, and to exercise real influence with respect to it. We have acted on the principle that, in matters of this kind, separate action is generally to be deprecated and avoided; but, in the present instance, the general considerations which dissuade us from separate action are infinitely strengthened; because the close and intimate relations with France, in which we find ourselves in consequence of previous arrangements in Egypt, create a kind of unity—a kind of obligation to unity—as far as policy upon this question is concerned, of a highly peculiar character. I would say that the association of France with England in the agreement itself was not one whit closer—of course, the purpose may be different—but the association was not one whit closer at the time of the Crimean War than now in regard to Egypt. As was declared not long ago by my hon. Friend the Under Secretary of State on this question, the points of view of England and France has not at every moment been, and could not be, absolutely the same; but, although some variation and divergence has not been wholly absent in the past, we find ourselves now entirely and, as we believe, cordially united. We have to consider, also, our relation to the Powers of Europe, who naturally feel that they have a right to be consulted in this matter. We have to consider the position of the Sultan of Turkey and his relation to the Khedive of Egypt; and, again, the relation of the Khedive in internal matters with regard to a movement of a mixed character, involving, on the one hand, something of a national element; and, on the other hand, I am afraid, a good deal of a military element, but creating together a position, I will not say of the extremest difficulty and danger—because I think that would be an exaggeration—but a position of the extremest complication; and it is most desirable that we should not be betrayed into a false step. What would be the consequence of a discussion? A great variety of opinions would be expressed—some leaning, perhaps, to an enhanced view of the Sovereignty of Turkey; some leaning towards the expression of a strong sympathy with the popular and national movement; some leaning to a strong assertion of the doctrine of the Concert of Europe; some, perhaps, again, being inclined to view with jealousy any supposed subordination of our action to that of France. But each and all of those different opinions would be put forth to the world; they could hardly be accurately reported; they could not be correctly understood, or be justly viewed, in relation to the authority belonging to each of those from whom they proceeded; and the effect would be nothing more than to add fresh complications to a situation sufficiently complicated already. I thank the right hon. Baronet opposite for what he has said. He has expressed, I must admit, and not unnaturally, the idea that there may be other information which might appertain to the information which has appeared to-day in the papers. But the right hon. Gentleman will well understand that we are only in possession of that information by telegraph, and nothing like a full and copious explanation of the circumstances under which it has become public is as yet in our hands. It is a great responsibility, Sir, which we have upon us; but we feel it to be our absolute and bounden duty, on the one hand, to adhere—as we do unreservedly adhere—to the hopeful and even cheerful view given on a former occasion to the House by my hon. Friend the Under Secretary of State; and, on the other hand, it appears to us that this is not a time at which it would be useful that a discussion in this House should take place. Nay, more, we are convinced that, although we have nothing peculiar in our principles, nothing idiosyncratic, nothing in the way of differences as between one Government and another, no motive of any kind, direct or indirect, which would lead us to deprecate discussion; but, on the contrary, we would willingly enter upon it on any proper occasion; yet, viewing the relations in which we stand, and the multiplied parties concerned in this matter, and the impossibility of treating it as we might do any business that was entirely within our own discretion, and of which we could at once calculate all the obligations and all the risks, we are bound to distinctly express the opinion that any debate in this House at the present moment could hardly, by possibility, in any direction do good, and would almost inevitably do injury to the public interests involved in the peaceful settlement of the present internal affairs of Egypt.

Sir STAFFORD NORTHCOTE: Sir, I entirely agree with the general principles which the Prime Minister has laid down as to the importance of leaving in the hands of the Government the responsibility of dealing with such a question as this; but the statement which the right hon. Gentleman has made was not, I think, at all calculated to diminish the feeling of anxiety which prevails in regard to Egyptian affairs. At the same time, I most thoroughly recognize the truth of the considerations which he has urged upon us with the view of preventing any premature discussion of the state of affairs, which cannot at the present moment, in the opinion of the Government, be fully disclosed to us. I must say that I think that a discussion upon half, or less than half, information would be much worse than no discussion at all. I only wish to say a word with reference to one observation made by the right hon. Gentleman. He said that the position of the Egyptian Question was not one which was entirely the creation of the present Government, but that they inherited the situation that had been created by their Predecessors; and he alluded to that in a way that might be taken to throw some part of the responsibility for the present state of affairs on the previous Government. ["No!"] I do not suppose that that was the intention, and I only wish to say that, without for a moment disclaiming any responsibility for the late Government for all their actions, and being prepared, whenever the official information is laid before us, to give a most perfect defence of that policy and the most candid consideration to the effect which that action must have had on the subsequent policy of the present Government, I would only say at the present moment, in the absence of information as to the policy of the present Government in respect to Egypt, we do not wish to be supposed to acknowledge having any responsibility in the matter which does not properly belong to us. I am quite aware, however, of the extreme delicacy of these questions, and after what he has said I agree with the right hon. Gentleman as to the impropriety of raising a discussion upon them on the present occasion.

Mr. JOSEPH COWEN said, it would be unpardonable on the part of any hon. Members of the House of Commons to provoke a discussion on a subject of such delicacy that the Government had assured them it could not be debated without possible damage to the Public Service. All present, whatever their opinions, would recognize the ability and force of the appeal that the Prime Minister had made, and that it was unassailable. The Government were responsible for what was being done, and as the House was only partially informed on the subject, adequate debate was impossible. Therefore, there was no other alternative for the House but silence. But he could not help observing that this was a consideration that did not always operate upon some hon. Members. He had a recollection that appeals of the kind had been made from the Treasury Bench during last Parliament, in circumstances of as great difficulty and danger as the present, and had not always been complied with. But that could pass. He could not help remarking, however, that the Prime Minister, while discouraging any attempt at discussion, had started many topics that were of a very debateable character. He had, however, no wish to discuss them, beyond saying that it had been stated—and great stress had been laid upon the point—that the Government would only proceed in concert with other Powers. He (Mr. Joseph Cowen) was not so certain that such co-operation must necessarily be an advantage. There was no reason why the Government should not act with other Powers when the objects of those Powers were the same as our own; but in the present instance that could scarcely be said to be the case. We were entering into a partnership with a Nation whose designs were different to ours, if not hostile to them. He had no wish to say an unfriendly word of France; but it was folly to shut our eyes to the fact that what France was wanting in Egypt and what England was wanting were entirely different things. England, unlike France, was not seeking conquest. All that she required was to maintain her road to the East. He was prepared to go any length for the maintenance of that highway. He would fight for it if it was essential. France was seeking quite different ends. She was striving to assert her supremacy along the whole of the Northern Coast of Africa. It was her undisguised aim to make the Mediterranean, as far as she could, a French lake. That was a project which he did not think it was either our interest or duty to commit ourselves to or encourage. This concert might lead us into trouble, and he viewed it with considerable misgivings. He (Mr. Joseph Cowen) was not going to discuss the matter; but he might mention that the Prime Minister had stated that the Government would be guided by the opinion of Parliament. It was not quite clear how the Government were to get the opinion of Parliament if it was not expressed. It was desirable for the right hon. Gentleman to understand, therefore, that there were hon. Members in that House who did not at all approve of England taking with France any action which would involve us in complications for her special advantage. The Egyptian people had a right to manage their own affairs. We were not concerned to interfere, except in so far as our interests in the Suez Canal were endangered. But it would be an extremely serious thing if we were to be dragged at the heels of France into troubles, the end of which it was impossible to foresee. Affairs would develop in the course of a few days; and, as they were not to have a discussion on the affairs of Egypt at present, if the Leader of the Opposition or some other hon. Member did not call attention to the matter on the re-assembling of the House, he (Mr. Joseph Cowen) certainly would do so, with the view of eliciting from the Government a more complete and explicit statement than they had yet given on that subject. The position, by the Government's own admission, was critical; and he hoped they would be able to satisfy the not unnatural anxiety of the public on the subject after the Recess.

Mr. ASHMEAD-BARTLETT said, it was not his intention to enter upon a discussion of this important question, in view of the very urgent request of the Prime Minister and of the opinion expressed by the right hon. Gentleman the Leader of the Opposition (Sir Stafford Northcote). He had, however, to complain that for a whole month, notwithstanding the Questions put to them, the Government had withheld information on Egyptian affairs. He had come to the House prepared to criticize, to some extent, the policy of the Government with regard to Egypt, and to prove that the difficulties in which England was now involved were entirely due to the grave mistakes of the present Ministry. He would not, however, trench upon ground which the Prime Minister described as extremely delicate; but the right hon. Gentleman himself had, in the course of his remarkable statement, entered upon other ground which was debateable, and which did not closely affect that question. He (Mr. Ashmead-Bartlett), therefore, considered himself perfectly within his right, and also within the interests of the public, in meeting two statements which the right hon. Gentleman had made upon subjects not directly connected with the question of Egypt. The first of these statements was the credit and honour which the right hon. Gentleman took to himself and his Party for the so-called settlement of the Greek Question; but he (Mr. Ashmead-Bartlett) could never allow such claims to pass uncontradicted. The facts with regard to the Greek settlement were these. The unfortunate instigation and advice of the present British Government raised in the minds of the Greek people and Ministry exaggerated expectations. The conduct of the right hon. Gentleman cost Greece £7,000,000 and the mobilization of 80,000 men. It cost Turkey an almost equal loss. It brought these two countries and Europe to the brink of war. And, after all, the British Government found themselves compelled, in May, 1881, to force upon Greece the acceptance of the terms which were offered by the Porte in August and October, 1880, and which Greece might then have obtained without the expenditure of a single million and without mobilization. He thought such conduct as that shown by the Government in that matter deserved great condemnation, and he could not say that he regarded the settlement with any degree of satisfaction. The second statement of the Prime Minister to which he (Mr. Ashmead-Bartlett) took exception was his endeavour to connect the policy of the late Ministry in Egypt with that of his own, and to involve the Conservative Party in any share of responsibility for the present crisis. There were, however, three essential and conspicuous points of difference between the policies of the two Ministries—(1) the intervention of Lord Beaconsfield's Government in Egypt was of a purely financial and administrative character; (2) that intervention was never made without the full prior knowledge and cordial assent of the Sultan, the Sovereign of Egypt; and (3) the unjust aggression and cruelty of France with regard to Tunis had entirely changed the feelings of the Mussulmans of the whole East towards France, and rendered any co-operation with her extremely impolitic and dangerous for England. He would venture, with all respect, to offer the right hon. Gentleman and his Colleagues a suggestion with regard to their policy. There was but one way in which the troubles and dangers in Egypt could be allayed—namely, by a frank and cordial understanding with the Ottoman Government. The difficulty in that country was due to the fact that the Government had taken step after step without obtaining the previous consent of the Sovereign of Egypt. It was only by and through the Porte that the crisis in Egypt could be ended. It was by that policy alone that the immense interests of England in the East could be upheld and the peace of Europe maintained, and those various objects, which the Government professed to be anxious about, secured. The suggestion which he ventured to make was this. Let the right hon. Gentleman go in a frank way to the Sultan, and invite him to put a check to the revolutionary movement in Egypt. He would find this the only safe and efficacious, as it was undoubtedly the only just and equitable, course. Any other course must lead to serious complications, if not to war. The Sultan was now master of the situation. With regard to what had happened, he would read two sentences from a document which was public property and which expressed the views of the Ottoman Government upon this subject. Some days ago the following protest was addressed by the Porte to Her Majesty's Government:—

> "It is through the intermediary of the Porte, and through that intermediary alone, that measures of appeasement should be concerted and applied. To assure us that the rights of the Sultan will suffer no infringement, and to forbid us any interference in an Ottoman Province, are contradictory assertions which it is difficult to reconcile. The result of this contradiction will be to cause our prestige in Egypt to vanish and our counsels to be ignored, and will open the door in that country to subversive ideas detrimental to the Egyptian population, whom it is our duty to protect. The dominion of the Sultan for centuries over Egypt, the identity of our customs, laws, and institutions, and the principles of International Law all combine to designate the independent action of the Sultan as alone capable of removing rivalry and the clashing of interests and of causing the voice of reason to be heard in Egypt."

In conclusion, he would entreat the right hon. Gentleman to revert to the policy of Pitt, of Wellington, of Palmerston, and of Beaconsfield—namely, that of friendship and alliance with the Ottoman people. That policy was far better than an uncertain and most dangerous cooperation with the Republic of France.

Sir JOHN HAY said, he did not wish to continue the discussion; but he was greatly afraid that the statement of the hon. Baronet the Under Secretary of State for Foreign Affairs (Sir Charles W. Dilke) might lead to misapprehensions. The hon. Baronet had spoken, both yesterday and to-day, of a Fleet being sent to Alexandria, and that was not correct; for it would lead to a misapprehension that there was a much larger force employed than was really the fact. The force which had been alluded to as the British Fleet at Alexandria was more correctly described by the Prime Minister as ships of war.

Sir CHARLES W. DILKE: I wish to say I gave the exact number yesterday.

Sir JOHN HAY said, he would admit that such was the case; but if his right hon. Friend the Chief Secretary for Ireland (Mr. Trevelyan) were in his former Office, the right hon. Gentleman would bear him (Sir John Hay) out when he stated that this was not a Fleet, but only a small detachment of a Fleet, for a Fleet consisted of 10 sail of the line or of 10 iron-clads, and there was only one English iron-clad and one French iron-clad at Alexandria, and these constituted only one-fifth of a Fleet. He should also have liked to ask his right hon. Friend whether it was possible for England to send sufficient ships to Alexandria if they were wanted to form a Fleet? His (Sir John Hay's) own impression was that, though France could send them from Toulon if necessary, England had only nine armour-clads in commission at home and in the Mediterranean available for that purpose.

Mr. HEALY said, he thought the Prime Minister should remember that considerable difficulty might arise in Parliament if, as might soon be the case, a Party, say, of 100 Irish Members, were to express the view, against the dominant wishes of Members of that House, that Arabi Pasha was a patriotic individual, and the hope that he would succeed in driving the foreigners into the sea. A crisis of that kind might occur in the affairs of the British Empire, even in their own time, because those Members might consider that the interference of England in the affairs of Egypt was simply a question of cash, and that a similar interference might be brought about in Ireland if they had a few foreign bondholders investing money in that country. It was all very well for the Prime Minister to say that there would be no interference with the Sovereignty of the Porte in the affairs of Egypt, so long as the Sovereign power was not abused; but he thought the Czar of Russia had just the same right to say that of the affairs of Ireland, if a considerable Party in the House, representing a large proportion of the population of the country, were to get up and say that the Sovereignty of Her Majesty was abused. In that case the Czar might say that the Sovereignty of Her Most Gracious Majesty in Ireland should not be interfered with so long as it was not abused. It might not much matter now, while England was at peace, for England could afford to disregard the opinion of such gentlemen; but, if ever she went to war, the time might come when some foreign Powers might interfere with the English Government in respect of its misgovernment in Ireland, just in the same way as England was now doing in Egypt, and in view of the possibility it would be well for the Government to allow the Representatives of Ireland to manage their own affairs in their own country.

Mr. O'DONNELL said, that, in his opinion, the statement of the right hon. Gentleman the Prime Minister might be justly characterized as being as clear, and as luminous, and as perspicuous as a remarkably fine specimen of the London atmosphere towards the end of November. Some surprise might naturally be felt at his (Mr. O'Donnell's) taking part in the present debate; but he was unable to understand what fell from the Prime Minister and the hon. Baronet opposite (Sir Charles W. Dilke). It appeared to him that the only difference between the statements of the Under Secretary of State for Foreign Affairs and the statements of the Prime Minister was the difference between the monosyllabic and the polysyllabic method of saying nothing in particular on the subject. He was compelled to make his remarks in that House, because the British nation insisted on the Irish Members making their appearance in that House. He largely sympathized with the objections of the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) to the policy of secrecy adopted by the Liberal Party in foreign affairs, since the accession of that Party to Office. The hon. Baronet the Member for Carlisle appeared to dread that, in the gloomy interval during the Recess, some sudden resolution might be adopted akin to that of the late Government when they called the Indian troops to Malta. He (Mr. O'Donnell) did not know whether the hon. Baronet contemplated some foreign expedition on the part of the Irish Constabulary; but, for his own part, he believed that there was very little apprehension of any foreign expedition being sent out by Her Majesty's Government, as they had already too much trouble on their hands to pick a quarrel with any Power whatever, unless it were a very small one indeed. Though it might be the opinion of the Government that silence was golden, especially when prudence was the better part of valour, there were aspects of the Egyptian Question which demanded, if not an explanation by the Government, at any rate, a distinct and clear enunciation of opinion on the part of independent Members of that House. The Under Secretary of State denied that that was an Ultimatum which appeared in the papers that morning. A challenge was thrown out to the Government Bench to say what, then, was an Ultimatum. He (Mr. O'Donnell) could only explain the statement of Her Majesty's Government that it was not an Ultimatum, by assuming that no declaration of policy by a Liberal Government could be taken seriously as the last word they had to say on the subject. Therefore, though the document which appeared in the papers ordering instantaneous submission on the part of the Egyptian Ministry might be regarded by some as an Ultimatum, he was of that frame of mind which would feel no surprise on seeing an Ultimatum of an entirely different nature in the papers to-morrow. The Premier said that the hon. Baronet the Member for Carlisle apparently preferred a misleading explanation to no explanation at all; but what he (Mr. O'Donnell) had to complain of was that they had already received a large number of misleading explanations from Her Majesty's Government on Egyptian affairs. They were led to suppose, over and over again, that what Her Majesty's Government was to do was to receive the entire concurrence of the Porte and of the Powers of Europe. The only corroboration of that very confident statement which had yet appeared had taken the remarkable form of a most decided protest by the Porte against the action of Her Majesty's Government. The Premier had declined to express what the policy of the Government was on the Sovereignty of the Sultan, and the integrity and independence of the Ottoman Empire. That was precisely the core and main point of the difficulty in the East, that no one knew what was the policy of Her Majesty's Government on those points. It might be singularly embarrassing to a Party which had arrived at power to confess that their policy now was the very policy they had so pitilessly denounced when Lord Beaconsfield was in Office. The Prime Minister, however, had laid down a general principle calculated to cover more or less satisfactorily the most surprising changes of that description. He had laid down that the Liberal Party in Office could not be expected to carry out the policy of the Liberal Party out of Office. [Mr. GLADSTONE: I have never said so.] He had only ventured to put a gloss upon the declaration of Her Majesty's Government, and he thought the right hon. Gentleman would admit at once that it was not an unnatural gloss. The right hon. Gentleman had laid down, in words that would be historical, that the Government were not bound to maintain, in a position of greater responsibility and less freedom, the views they had expressed in a position of less responsibility and greater freedom. [Mr. GLADSTONE: I never said anything of the kind.] He was certain the Premier clearly saw his way to the maintenance of the denial he had just uttered; but, at the same time, he was bound to say he was not endowed with the powers of accurate perception possessed by the right hon. Gentleman. There were people in the East and in other parts of the world who might form what might be mistaken views of that kind. It was that very ambiguity which surrounded the views of the Government upon the most essential points of Eastern policy that was at the bottom of nine-tenths of the existing anxiety. The Government declared that they objected to having their hands tied. But were not their hands tied? What was the nature of their apparent dependence on the French Government? So far as he had been able to judge, the policy of Her Majesty's Government for a long time back consisted in saying "Ditto" to the French Foreign Office. Were Her Majesty's Government engaged in suppressing the nationalities of North Africa, like France, and wounding the feelings of the Mahomedan population? Were they aware of the interpretation put by the Mahomedan world upon their warm co-operation with and apparent dependence on France? At any moment there might be an insurrection of the Arab tribes, from Morocco to Arabia, against the French power; and if the British Government, at that critical hour of national explosion, were found side by side with France in Egypt, nothing on earth could prevent the Native population from considering England as the ally of France. He spoke in behalf of a policy of withdrawal from co-operation with France in this matter, and of paying greater attention, in the interests of common prudence, to the feelings of the Native population. England had suppressed the nationalities of a sufficient number of African peoples to render it by no means improbable in Native eyes that, upon due temptation, England would be quite as capable as France of adding another unjust annexation to the many which had already taken place. Her Majesty's Government had a right to be reticent, especially when they had nothing to say. But independent Members had a right to express an opinion on the subject; and, so far as he could see, there was no aggression, no interference with national rights, no violation of International Law, as regarded the peoples of North Africa, which had not been either approved or done by Her Majesty's Government. The Government had affected to defend the despatch of a squadron to Alexandria, on the ground that it was necessary for the protection of the life and property of British subjects; but where was that policy, when French men-of-war bombarded, and French soldiers sacked the property of British subjects at, Sfax? It was forgotten that there was at present an active, intelligent, widely-spread, and ably-conducted Mahomedan and

Arabic Press, as well served with correspondents and educated writers, in proportion to the state of their civilization and education, as the Press of any part of Europe. All those facts which Her Majesty's Government thought might produce mischief were perfectly notorious in the East. What was the use of Her Majesty's Government imitating the ostrich and hiding their heads, when all these things were known in the East? It was perfectly well known throughout the East that there was a French Party which originally collaborated with the National Egyptian Party, with the design of making use of that Party as a tool against the supremacy of the Sultan, of separating Egypt from Turkey, and of taking hold of that country, which was the constant object of French cupidity. It was only when the Egyptian National Party proved themselves to be a real National Party that the French Government took steps to suppress it. In fact, the French Government discovered that Her Majesty's Government was likely to prove a more efficient tool in their hands for the disruption of the Ottoman Empire and the separation of Egypt from the Porte than Arabi Pasha and his Party. It was believed among the Mahomedan nations that Europe was once more embarking upon a sort of modern copy of the Crusades. In North Africa a vast insurrection against the French power was imminent. He believed that a European war, which would be very unseasonable just now, was treading closely on the heels of the Government's proceedings in Egypt. As an Irishman, he said that was a dangerous time for the Government to enter into a difficult enterprize in the East, for they had neither the political reputation nor the military force to enable them rashly to do that at the present moment. It was also to be remembered that in the event of war the whole future of the Indian Empire would be trembling in the balance, and a single false step would leave this country in as dangerous a position as it was in when the valour of a few Irish regiments rescued it at the beginning of the present century; and it was probable that, if they asked their assistance at the present time, the answer would be that the evicting landlord had scattered far and wide, over distant shores on the Atlantic and the Pacific, the strong arms and stout hearts that were once at the disposal of England, but whom England had rewarded with exile and despair.

EVICTIONS (IRELAND)—ERECTION OF HUTS FOR EVICTED FAMILIES ON THE ESTATE OF LORD CLONCURRY, MURROE, COUNTY LIMERICK.

OBSERVATIONS.

Mr. DILLON, in calling attention to the subject, said, that it might be very unpleasant, but it was his duty to invite the House to return from Egypt to the County Limerick, in Ireland. He had just received a telegram from the Chairman of the Poor Law Board of Guardians, in the city of Limerick, begging him to impress upon the right hon. Gentleman the Chief Secretary for Ireland (Mr. Trevelyan) the instant necessity of allowing 500 unfortunate people, who were now houseless, to provide some shelter. The telegram was to this effect—

> "Resolution passed at the Board to-day, and telegraphed to the Chief Secretary, asking him to permit the erection of huts for 50 families, who are now without shelter on the estate of Lord Cloncurry, otherwise the tenants will be obliged to enter the workhouse, which is already crowded."

He had also received telegrams from several other people living in the neighbourhood, praying him not to allow the House to rise for their Holidays without calling the attention of the right hon. Gentleman to the matter; but all the answer he had been able to get was that the Lord Lieutenant would consider each individual case on its merits. The one point he wished to dwell upon was that these people were evicted by Lord Cloncurry under circumstances of the grossest and most cruel injustice. They were one time in fairly comfortable homes. They were people who gave their children a good education, and were thoroughly respectable and decent in their way, and it was impossible for him to convey to the House any conception of the bitter feelings which would arise in the breasts of these people if they were obliged to enter the workhouse. It would be regarded by them for ever as causing a stain and a contamination scarcely to be described. Were these peasants, who were comfortable and respectable once, with their innocent wives and children, to be driven into the Limerick workhouse, to associate with the dregs of society from that city? If so, they had better shoot them down, or at least the children. They had now been out of their homes for six weeks, and the Government had not yet decided whether they would be allowed to erect shelter. The request was moderate. If justice were done, they would be put back in their holdings from which they had been evicted. The landlords of the neighbourhood had urged on Lord Cloncurry to withdraw from his position; but he had refused to do so, or to listen to any settlement, although he (Mr. Dillon) considered that the terms offered by the tenants were too unfavourable for them. What he wanted to know from the right hon. Gentleman the Chief Secretary for Ireland was, whether these people were to be driven into the workhouse or not; and, if the Irish Members undertook that no intimidation would be practised by those tenants, no violence done, the Government would allow the Land League to erect shelter for them upon the farms of their neighbours who might offer sites for the purpose? With regard to the interference of Mr. Clifford Lloyd, and the threat to arrest carpenters who had been employed in erecting huts for those people, the Chief Secretary for Ireland had stated, no doubt on police information, that the farms on which the huts were being erected were only separated by a narrow road from the farms of the evicted tenants. It was said that that statement was entirely untrue—the places were separated by a large grazing farm, which placed them about half-a-mile apart. He thought, however, they were entitled to demand that, no matter where these huts were erected, permission should be given to provide shelter for the evicted people.

MR. PLUNKET: Sir, before the debate proceeds further, I desire to correct the statement made by the hon. Member for Tipperary (Mr. Dillon), unintentionally, no doubt, but most erroneously. I do not intend to enter upon the question between the hon. Member and the Executive with regard to the action of Mr. Lloyd; but I wish the House to understand what really is the transaction which has just been described from the Land League point of view. The hon. Member said that these families had been evicted in the most grossly unjust manner, and spoke of the consequences that might follow if they were thrown into the workhouse; but the question arises who, after all, is responsible for the evictions? I am, fortunately, in a position to be able to state on authority, very briefly, the facts of the case, and will leave the House to form its own opinion as to the true character of the affair. Now, the tenants who have been evicted held their lands from Lord Cloncurry, at a valuation made in 1870, and at a rent paid for 10 years without any complaint, and there were no arrears previous to the appearance of the edict of the Land League. Upon the institution of the League, and by its advice or order, they refused to pay their rents, and in obedience to the same advice or order, when their farms were offered for sale by the Sheriff, they declined to bid, and let Lord Cloncurry buy in their interests, which he did for a nominal sum. After a reasonable and a considerable time the rights of the landlord were exercised, not only in his own interest, but also in the vindication of law and order, and, at great trouble and expense and odium to himself, he expelled from his estate those people who sought to keep possession of his land without paying a just and fair rent. That is the practical view taken by the landlord himself; but I do not rest my statement on that alone. These matters have been brought before the Courts on two different occasions, and before Mr. Justice Fitzgerald and a common jury, and I will now quote from *The Freeman's Journal* some statements made by Mr. Justice Fitzgerald on the hearing of 27 of these actions. That learned Judge said—

> "I should hope that there is some prospect of an arrangement between Lord Cloncurry and his tenants. They certainly have been exceedingly badly advised, and are now left in the lurch by their advisers. The tenants must have been advised by someone to let their holdings go, with the view of making a desert of the place."

He then suggested that some arrangement should be come to, and when the cases came on again on February 20th, the same Judge said—

> "The tenants acted in concert according to the advice they had received, which was that they should sacrifice the farms."

Further on, he said—

> "He saw the ruin and desolation these people had brought upon themselves by this litigation,

> and he hoped that whoever the parties were who advised them to adopt that course, they would come forward, and out of their own funds pay the rents and costs, thus recouping Lord Cloncurry for his loss, and enabling him to reinstate the tenants in the farms."

The cases were carried to the Superior Court, in which the Judge remarked upon the difficulties and dangers which had been experienced by process-servers in that district, and his Lordship said—

> "He could not shut his eyes to the fact that the tenants had brought all this desolation and misery on themselves, and he believed the parties were obliged to take the course they did in pursuance of the 'no rent' policy or manifesto. The litigation was quite useless and unnecessary."

Now, you have all the circumstances of those evictions from the lips of the Judge who tried the case, and it throws a strong light upon the effects of the Land League "no rent" policy; and I appeal to the House, whatever judgment they may come to in respect to the other question of the huts, to recollect what are the real circumstances of the case as between landlord and tenant. It is a case of extreme hardship to the landlord. The question is, who is responsible for these evictions; and, if these people should be obliged to enter the workhouse with the bad results mentioned by the hon. Member for Tipperary, at whose door must the blame justly be laid?

Mr. PARNELL: Sir, the right hon. and learned Gentleman who has just sat down (Mr. Plunket) has stated that these tenants of Lord Cloncurry refused to pay any rent; and he has quoted from a report of a judgment of Mr. Justice Fitzgerald, made upon *ex parte* representations, without any information on the part of the tenants, and without the presence of any legal adviser on their behalf, to the effect that these tenants had been acting on the present occasion in obedience to the "no rent" manifesto. All I can say is that there is no truth whatever in the statement. These tenants were sold out in the month of May last year, long before the "no rent" manifesto was thought of. The circumstances are shortly these. They held very poor land in the County Limerick, at a rent of about 40 per cent over the Poor Law valuation. All the surrounding landlords, with the exception of Lord Cloncurry, had given abatements of from 20 to 30 per cent. These tenants asked for an abatement of 20 per cent, but Lord Cloncurry refused to give it. He served writs upon them, and obtained decrees for judgments in the Superior Courts. He then proceeded to sell their holdings, a most expensive and harsh proceeding against the tenants. In fact, it is the most expensive way in which a tenant can be evicted. The tenants went to the bank, and lodged their rents, less the abatement of 20 per cent which they had asked from Lord Cloncurry on the day after their holdings had been sold. I am informed, on credible authority, that Canon Ward, a Catholic clergyman, went to Lord Cloncurry's solicitor and offered to pay the full rent, provided the tenants were restored in such a way as to enable them to obtain the benefit of the approaching Land Act. That offer was refused. That offer and every subsequent offer made by the tenants, or on their behalf, was also refused by Lord Cloncurry. Lord Cloncurry, too, has made the tenants several offers, but not one which would permit them to have the benefit of the Land Act of last Session. The tenants, I know, were at all times willing to settle, provided they were allowed to come in as "present tenants" under the Act of last Session; but that has always been refused by Lord Cloncurry. The best offer made at any time by him to the tenants—and only after expenses amounting to £30 in each case had been incurred—was, that they should take out leases for 66 years at the old rack rent, which was 40 per cent above the Poor Law valuation, and pay all the costs in addition. These terms meant absolute beggary to the tenants, and they have up to the present rejected them. Under these circumstances, we sent the tenants wooden houses, in which they might obtain shelter; but, according to the idea of the right hon. Gentleman the late Chief Secretary for Ireland (Mr. W. E. Forster), this was constructive intimidation, and an embargo was placed upon these houses, and they were not permitted to be erected. I believe the carpenters engaged in erecting them were arrested and imprisoned for intimidation. That is how the matter stands at present. It appears to me that in England miners are permitted to strike; and it is permissible—as we have seen in the case of a recent strike near Durham—it is permissible by the law of England, which also applies to Ireland, to erect shelter for miners on strike; but it appears it is not permissible to erect similar shelter in Ireland. What is legal in England is held to be illegal in Ireland, where no sort of intimidation whatever is intended. The strained constructive interpretation placed upon the law by the arbitrary action of the Irish Executive renders such permission impossible. I think we have proved that, in this case, there was no intimidation as regards the erection of these houses; that it was a perfectly legitimate struggle between the landlord and the tenant for a fair rent, a struggle which has dated back from the earliest commencement of the Land movement before the Act of last Session was passed, and which the tenants have repeatedly sought to terminate by offering to pay the full rent, and, I believe, the costs. I would ask the Chief Secretary to the Lord Lieutenant of Ireland, whether any hut will be permitted to be erected until the Lord Lieutenant has inquired into the circumstances of each case? If so, where a great number of evictions occur, as at Carraroe, if an embargo is placed on each hut until the Lord Lieutenant has had time to inquire into the circumstances of each case, I think it will practically amount to this, that no huts can be erected for any evicted tenants in Ireland. I think we are entitled to a statement of the principle upon which the Lord Lieutenant will act in these cases, in order that we may know what is intimidation in the minds of the Irish Executive. We have no means of knowing that at present; and I shall be glad if some statement is made, giving a definition of the circumstances connected with the erection of these huts which constitutes intimidation, because we desire to avoid it, and act in a *bonâ fide* way in erecting them.

MR. SYNAN said, that as a Member for the county in which these events had occurred (Limerick), and having some acquaintance with these farms, he desired to confirm the statement as to the attitude of the tenants long before the issue of the "no rent" manifesto, and quite independently of any action of the Land League. At the same time, he would admit that if the tenants were able to buy the holdings, and did not do so, they were ill-advised. It had been suggested that the rents were fair, because they were fixed in 1870; but he believed that as regarded the setting of land, the year 1870 was the highest year they had since 1850; and the fact that the rents were fixed in these cases in that year afforded *prima facie* evidence that they were high. He knew the lands, and if they were let at 40 or 50 per cent over Griffith's valuation, he could only say they were let at regular rack rents. Sir Croker Barrington and all the neighbouring landlords had given an abatement of 20 per cent, and although Lord Cloncurry's tenants had asked for the same reduction, he knew, as a fact, that they would have accepted 10 per cent, and even have been satisfied with 5; but Lord Cloncurry would not be satisfied with anything except his pound of flesh; while he had incurred £700 costs, being £30 or £40 in each case, and would not take a farthing of rent unless these costs were paid. Even the lease that had been offered contained a clause that every tenant was to be liable to pay the rents of the other tenants, so that in case of there being one defaulter, the landlord might have the power to evict all. The right hon. and learned Gentleman the senior Member for Dublin University (Mr. Plunket) also defended the course taken by Lord Cloncurry in bringing ejectments in the Superior Courts; but it was well known that no difficulty whatever need be experienced in the districts in serving civil bill ejectments, which would have avoided the payment of these enormous costs by the tenants. He thought Lord Cloncurry in this matter stood isolated in the whole of Limerick, and he hoped no other landlord in Ireland would be guilty of the same despotic proceedings against respectable tenants. All these men, to his own knowledge, were respectable farmers, and it would be scandalous to subject themselves and their families to the contamination of a workhouse. This was a case which demanded the immediate attention of the Government, and the immediate compliance by the right hon. Gentleman the Chief Secretary for Ireland (Mr. Trevelyan) with the request of his hon. Friend behind him (Mr. Parnell).

MR. W. E. FORSTER said, that after the few words spoken by the hon. Member for the City of Cork (Mr. Parnell), he wished to trouble the House for a minute or two. There were two questions which had been brought up in this discussion—one was the circumstances connected with the eviction; the second was the sheltering provided for the evicted people. As regarded the circumstances of the eviction, he could not admit the correctness of what had been said by the hon. Member for the City of Cork. There was one fact that the hon. Member alleged which, no doubt, was a mistake on his part. The hon. Member said that the tenants were sold up in May. In his (Mr. W. E. Forster's) belief, they were sold up in August.

MR. SYNAN: That was before the appearance of the "no rent" manifesto.

MR. W. E. FORSTER said, even if that was so, and the right hon. and learned Gentleman the senior Member for the University of Dublin (Mr. Plunket) was certainly mistaken in attributing the action of the tenants to the "no rent" manifesto, yet it was a mistake, not so much in substance as in appearance. He (Mr. W. E. Forster) believed the real fact of the case was this. He was not going into the terms on which the tenants held their holdings; much had been heard on both sides—they might have been high-rented, or they might have been low-rented; on that subject he did not wish to give an opinion—but there could be no doubt that they refused to pay their rents. [Mr. SYNAN: Their full rents.] Yes, their full rents; and Lord Cloncurry thought the law enabled him to get them, as the law enabled a man to get his full tailor's bill or any other bill. It must be remembered that these were not cases of cottier tenants, who would be reduced to absolute destitution if they were turned out, but they were well-to-do tenants. They took, he supposed, the advice of the officials of the Land League, or, at all events, they did what those officials strongly recommended, and instead of going into the Land Court and taking advantage of the Land Act ——

MR. DILLON: There was no Land Court at that time.

MR. W. E. FORSTER: Well, there was a Land Bill introduced with every probability of passing, and there was one actually passed before this matter came to the point.

MR. DILLON: But this incident began in March last, and only concluded in the mouth of June, when the tenants' farms were sold up.

MR. W. E. FORSTER said, he believed he was correct in this matter. However, there could be no doubt that there was a Bill passing through Parliament. It was pretty well known that it would become law, and that it would enable a fair rent to be fixed. Following the advice given them by the Land League, the tenants declined to wait and take advantage of the Act, and they refused to pay the rent which was actually due. He was not even stating whether Lord Cloncurry was driving a hard bargain or not; but, if he was asked, his own impression was that he was not. ["Oh, oh!"] He thought that did not very much concern the matter. Respectable, well-to-do tenants, instead of taking advantage of a Bill which they were pretty sure was going to pass, and which, he believed, was passed before the final sale, refused to pay their rents, following the advice of the Land League; and they very foolishly and unwisely declined to buy in their property, as they might have done, and allowed it to go at a nominal price, and in doing so they still followed the advice of the Land League. He was very much mistaken if they did not follow the advice publicly given by the hon. Member for the City of Cork, in a speech about that time, but of which he had not got a copy with him then. At any rate, he should at another time be prepared to give the words of a speech of that hon. Gentleman's, in which he strongly recommended tenants to take that line, giving them to understand that the Land League would take care they did not suffer for doing so. Well, the Land League had not taken care that they did not suffer. And he had not the slightest doubt that at the time the poor men declined to bid for their farms they fully expected the Land League would take care that they did not suffer from their neglect to do so. Men refused to pay rent which was legally due, and to buy in their own property at the sale—following in both instances the advice of the Land League, and then they found themselves in the power of Lord Cloncurry. These he believed to be the circumstances in regard to the evictions. If he were called upon to give an opinion as to the Land League, he should say that the Land League was, in the first place, wrong in advising people not to pay their legal debts; secondly, that they were wrong in advising the tenants not to buy in; and, thirdly, that after the promise made, and having got these poor men into these straits, they were wrong in not out of their funds giving the tenants the means of keeping up their holdings. With regard to the question of the huts, the hon. Member for the City of Cork had said this shelter was prevented on account of the policy which he (Mr. W. E. Forster) set on foot. Well, that was not true. [" Order!"] He said it was not true that he ever set on foot such a policy. He was applied to by parties interested to stop the erection of huts, and he always stated that the *onus probandi* rested with the objectors to show that the huts should not be erected, as, undoubtedly, it was generally legal to erect these huts, and in many cases praiseworthy. He might state with regard to Mr. Clifford Lloyd that he had talked the matter over with him, and that they both agreed that they ought to put nothing in the way of erecting huts in ordinary circumstances. In regard to this particular case, he had nothing to do with it. This matter in regard to these huts happened, he understood, after he left Office; but he was confident that, in some other cases, huts had been put up solely for the purpose of intimidation, and that the magistrates in those cases were right in preventing their being so erected. He knew of a case in which men were living in huts which were put up for them after they had paid their rent. They had paid their rents quietly and silently, without letting the fact become known. The huts had been put up, and they dared not refuse to go and live in them. No one who really knew what intimidation was practised in these districts would be surprised at such a state of things. In fact, the intimidation in Ireland had been of such a nature that it had been one that absolutely prevented anyone from feeling any sort of liberty to do what he thought he ought to do, to pay his debts or his rent, or to carry on his business in any manner in which a free man should carry it on. With an organization like the Land League, still carried on to some extent by the Ladies' Land League, there could be no doubt that one of the instruments they had used for the purposes of intimidation was the erection of huts. Still it was a matter in which, of course, the magistrates and the police ought to have the clearest possible proof that the huts were put up for such a purpose, and not merely for the purpose of shelter or for the purpose of benevolence. He was glad to hear that his noble Friend (Earl Spencer) intended to look personally, as far as he could, into these cases. He (Mr. W. E. Forster) did so himself—[" Oh, oh!"]—and in several cases he prevented any interference being made with the erection of the huts. But he need hardly say that he supposed his right hon. Friend (Mr. Trevelyan) and the Viceroy would remember that these were matters which depended upon the action of the magistrates, and that it would be a very dangerous thing for the Executive to positively interfere with magisterial action, because that would be a great exertion of authority which ought not to be made. It was a most dangerous matter for the Executive to attempt to originate and to control the magisterial action. It had not been done in Ireland, and he did not suppose his right hon. Friend intended to take that course. He must again repeat, that if hon. Members thought that before he left Office he gave any orders or instructions for preventing the erection of huts, there was absolutely no foundation for it. He did not know of a single official in Ireland who had ever advised such a thing; but he knew that in a great number of cases huts had been erected, and no interference had been allowed; and he trusted the House would not come to any judgment on cases where interference had taken place without having the whole of the facts before it, or on any *ex parte* allegations. It must be recollected that wherever a magistrate had done such a thing there was an appeal to a higher Court, and he hoped that hon. Members would wait to hear the result of such appeals before they formed a conclusion on the matter. He must now say a word or two about Mr. Clifford Lloyd, and he did not know why he should be called, as he often was, Major Clifford Lloyd, for he believed he had never been a military man at all, or connected with the Army. He had, however, been frequently made the object of attack both out of that House and in it; and he feared hon. Members were beginning to suppose that there was some foundation for those attacks and for what was said about him. The real reason for these attacks upon Mr. Lloyd was that he had been most successful in putting down disorder, and in establishing liberty and freedom in the districts within his jurisdiction. It was chiefly owing to Mr. Clifford Lloyd that in some parts of Ireland men could go to their daily work from morning until night without the fear of being maimed or murdered, and this they were able to do mainly on account of his action. There would, indeed, be an end to much hope of orderly government in the country if the time should come when the Government or Parliament should not acknowledge the services of men who had done such good work as Mr. Lloyd. He must add that that magistrate had discharged his duties with great moderation and without the use of extreme punishments; and, if the facts were fully made known, it would be found that he had restored order in Limerick, and was beginning to restore it in a very bad part of the much-disturbed county of Clare, very much by his justice and moderation; and, as a proof of that, he might give two instances. Some time ago, having given the Government information which led to the arrest of several persons in Kilfinane and Kilmallock, he said he would make himself responsible for the peace of the district if those persons were released. He was right, and it was found that they could be released with safety. But perhaps the House would be much surprised to hear that almost the last act he (Mr. W. E. Forster) performed as Chief Secretary for Ireland was to sanction, at Mr. Lloyd's request, the release of those who, under his term of magistracy, had been confined under the Coercion Act in the county of Limerick. Such was the confidence of the Government in his power of preserving order, and in the respect that the inhabitants of that county paid to him for his moderation, firmness, and discretion, that by the force of his personal character that step we found could be taken, and was taken, with perfect safety.

Sir JOSEPH M'KENNA said, that as all the workhouses in Ireland were overcrowded, there would be no shelter for great numbers of evicted tenants but for the efforts of the Ladies' Land League and other organizations in the tenants' behalf. He wished to know whether the Government were going to take any steps for the accommodation and relief of such tenants? He would impress upon the right hon. Gentleman the Chief Secretary for Ireland (Mr. Trevelyan) the expediency of allowing the huts to be erected, when they had the recommendations of so important a body as the Board of Guardians.

Mr. SEXTON said, he felt obliged to offer a few remarks to the House upon the speech of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster). That speech was worthy of the right hon. Gentleman in its tone and in its whole substance; it was worthy, too, in the consequences it was likely to produce, of the right hon. Gentleman's whole unfortunate official connection with Ireland. He (Mr. Sexton) would venture to express a hope that the right hon. Gentleman who had undertaken the serious task of the government of Ireland (Mr. Trevelyan) would rather derive his opinions from the Irish people themselves than from a Gentleman who had proved his incapacity to act in connection with his own Cabinet. It would be strange indeed if the right hon. Gentleman the Member for Bradford could deliver a speech without a eulogium upon Mr. Clifford Lloyd. It had long been recognized in Ireland that Mr. Clifford Lloyd was the special favourite of the right hon. Gentleman; and when they heard the right hon. Gentleman say that he had not imposed any impediment upon the erection of huts, he (Mr. Sexton) must ask them to remember that Mr. Clifford Lloyd, the special favourite of the right hon. Gentleman, had been the one magistrate in Ireland who had continually and tyrannically interfered with the provision of shelter for evicted tenants. The right hon. Gentleman claimed for Mr. Lloyd the credit of having restored order and even peace in the counties of Limerick and Clare. He was ready enough to give figures when they told against the Irish people, but he abstained from doing so when he was praising some official of the Government. Why had not the right hon. Gentleman given them the number of crimes that had been committed for a given period before Mr. Lloyd became special magistrate there, and compared them with the figures for the half-year following his arrival? The right hon. Gentleman knew when to be frank and when elliptical. He attributed the credit to Mr. Clifford Lloyd, instead of attributing it to the fact that the Government which he had left had led the people for a short time to believe that they were about to return to a policy of conciliation and reason. Although the Government was introducing a new Coercion Bill, there was an improvement in their policy for a short time, which had brought about, to some extent, a better state of things in the country. He (Mr. Sexton) had made strenuous endeavours in that House to bring before it the proceedings of Mr. Clifford Lloyd and other magistrates; but all those endeavours had been met with evasion and suppression. He had asked the right hon. Gentleman the Member for Bradford whether that moderate magistrate had sent a telegram to a constable, requesting the names of six or seven tenants in a particular locality who had not paid their rents. Mr. Lloyd did not ask whether the tenants were able to pay or not. The right hon. Gentleman had risen and denied that any such telegram had been sent. But he (Mr. Sexton) had received the words of the telegram. He knew the day on which it was sent, and the office where it was handed in; and in that telegram was contained a request for the names of 20 tenants who had not paid their rents. The object of the telegram was to use powers against those tenants which had been obtained for a totally different purpose. There was another case, in which a charge was brought against a lady. The lady was taken into Mr. Clifford Lloyd's private room. She requested the presence of the parish clergyman during the examination. The request was refused. She asked for an adjournment. It was refused. She asked to be allowed to engage counsel. That, also, was refused. And then, without evidence, without witnesses, without the aid of counsel, she was sentenced to three months' imprisonment. What was the use of an appeal in such a case? Mr. Justice Fitzgerald had decided that the Queen's Bench could hear no appeal unless some point of law was reserved, and Mr. Clifford Lloyd had taken good care that no point of law should arise, for the unfortunate woman had no counsel to raise it for her. It was hard for him (Mr. Sexton) to restrain his indignation when he heard the right hon. Gentleman say, in that House, that huts had been erected in Ireland for the purpose of intimidation. Was it not a fact that the Ladies' Land League and its branches had been in existence in Ireland for the last 12 months? In the course of these 12 months the right hon. Gentleman had in his hand a Coercion Act which enabled him to arrest any person he chose; and although there were 300 huts erected by the Land League and its branches in 26 out of the 32 different counties in Ireland, many of the huts being in proclaimed districts, and although these huts were occupied by 2,000 evicted tenants, the right hon. Gentleman never once in the course of the 12 months used the Coercion Act for the arrest of any one of those persons on a charge of intimidation.

MR. W. E. FORSTER asked if the hon. Member was surprised that he did not order the arrest of any lady connected with the League on account of intimidation with regard to the erection of huts? Was not that his question?

MR. SEXTON: No. He could not raise such a point as that, because ladies were arrested.

MR. W. E. FORSTER: Not under the Protection Act?

MR. SEXTON: No; but in reference to intimidation. He would repeat the question.

MR. W. E. FORSTER replied, that the reason why they were not arrested was because they had not sufficient proof of intimidation; and, therefore, no action had been taken in the matter. That was a confirmation of his previous statement, that no action had been taken in reference to the building of huts for the occupation of evicted tenants, except where there was ample proof that it was connected with intimidation.

MR. SEXTON (continuing) said, the right hon. Gentleman had said he had no proof brought before him; but the right hon. Gentleman did not require proof, but only such evidence, if he (Mr. Sexton) might call it so, as might bring his faculty of reasonable suspicion into play. He could have availed himself of the powers conferred upon him by the Coercion Act, and could have arrested the members of the Ladies' League as "suspects;" but he had not thought it right to do so. In the cases in which the right hon. Gentleman had interfered, the huts were erected at such a distance from the evicted lands, and under such circumstances as to render a suspicion of intimidation improbable to the last degree; and he would ask could tyranny or absurdity further go? These poor evicted tenants were the last to desire that intimidation should be resorted to on their behalf, because their only hope of being saved from ruin lay in their being restored to their farms; and, therefore, it was too absurd to charge them with having used intimidation. How could the right hon. Gentleman talk of tailors' bills in connection with the reduction of rents, when they all knew that the reduction of rents had been effected by the Land Act? With regard to Lord Cloncurry, he (Mr. Sexton) believed that that Nobleman had ignored all the duties attaching to property, and had exacted, not only rack rents, but altogether fancy rents from his tenants. He refused to do what an English landlord would do—he refused to do what an English Gentleman always did with his tenants, and that was share the distress by making an allowance in the rents. No; Lord Cloncurry went upon the principle that he must be paid—that he would have the last penny from his tenants, even though they were ruined in paying it. It must be remembered also that the poor tenants who had been unable to pay their rents had been required to pay, not only the arrears, but also the enormous law costs of the Superior Courts of Dublin to save themselves from eviction. When he (Mr. Sexton) was in Ireland last, in connection with the Land League, he carefully examined into the cases of farms brought to the hammer, and he found this, that three-fourths of the tenants whose farms were put up to auction allowed their farms to go. With three bad years, with no reduction of rent, but forced as they were to pay exorbitant rents, what were they to do? It was impossible for them to pay the costs of the actions in the Superior Courts, the costs of the writs, and of the actions, and so it was simply a choice between one description of ruin and the other. When he consulted with others as to what was to be done under these circumstances, all that he had ever done was to advise the tenants to stand together and to form a united and solid body for their own protection. The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had told them of tenants he met with tears in their eyes in some out of the way corners complaining of the Land League. Before these evictions of Lord Cloncurry, he (Mr. Sexton) told the tenants distinctly that the Land League would not bear the expenses of buying the farms. He told them that if the League was to do it, they would be at the mercy of the Property Defence Association, who might issue thousands of writs, and who, in a single week, would empty the coffers of the League. He hoped, in conclusion, that he had been enabled to convey some idea of the truth of this matter, and that in spite of the efforts made by the right hon. Gentleman (Mr. W. E. Forster) to glorify the landlord at the expense of the tenants, and at the cost of humanity, proving, as he had, that he could neither agree with his Colleagues in Office or be satisfied with them now he was out of Office.

Mr. TREVELYAN said, that up to the present time he had carefully refrained from expressing any opinion upon this most complicated question, and had merely stated what would be the Executive action or the intentions of the Government with regard to it, and he did not propose to step beyond that line on the present occasion. If the Chief Secretary for Ireland were to be required to defend the landlords in a complicated case of this kind, he would have equally to condemn them when they unduly strained the law against their tenants. It was for the private friends of the landlords on the one side, and the representatives of the tenants on the other, to state the case according to the best of their power, and to see that the law was duly enforced on both sides; and all that he had to do was to see that the supremacy of the law was asserted. The Government were very sorry for those poor people. They had, according to one account, been much misled and greatly intimidated, and, according to another, they had been greatly misused. It was to prevent hardship of the nature in the future, whether well-founded or not, which had been alleged, that the Land Act had been passed; and it was to prevent intimidation of the class alleged to have been used in the present case, that the Government were determined to pass the Prevention of Crime Bill. If intimidation had been used in this case, he could not too strongly reprobate it. If the tenants had been persuaded to do anything which was for their ultimate serious disadvantage, he deeply regretted it. It was difficult to speak in a case where the Government had no power. It was deeply to be regretted if the tenants had been tempted to their ruin by refusing to pay their rent; and it was equally to be regretted if the landlords had strained the law with the object of depriving their repentant tenants of the advantages offered them by the Land Act which had been passed by both Houses of Parliament. By whomsoever that system of intimidation had been practised, the Government would do their utmost to put a stop to it. If the huts, wherever they were, were part of a system of intimidatory action, they would also undoubtedly interfere to check that intimidation. He believed hitherto the proceedings connected with the erection of those huts had been connected with intimidation; but he was very sorry a discussion of a warm nature had resulted in regard to Mr. Clifford Lloyd, because he thought Mr. Clifford Lloyd had, at different times, done a great service in the cause of law and order, and he certainly would be supported by the Government. The hon. Member for the City of Cork (Mr. Parnell) did not appear quite to understand what he meant to convey as regarded these huts. The hon. Member, in his speech, had stated that the Government would not allow huts to be erected; but the fact was, that the Government would not allow any interference with their erection until they were satisfied that they were erected for purposes of intimidation. No one wanted permission to do a lawful act; and if the huts were merely erected for shelter, they certainly would not be interfered with. There was one or two points on which his information was not identical with that of the hon. Member for Tipperary (Mr. Dillon). He understood, and he hoped he was right in the matter, that the number of persons belonging to the families evicted were 215, and not 500, as stated by the hon. Member. He believed, however, that a certain number of them were well-to-do, and had friends to help them. [MR. PARNELL: A great many of them were cottier tenants.] No doubt, some were; and he saw one was evicted because he was unable to pay £1 on a holding of 10*s*. a-year. There could, however, be no doubt that during the 9 or 10 months that had elapsed since the evictions, there had been a great deal of distress and destitution. As regarded the power of the Government, he took it that there could be no doubt about that matter. The Government did not interfere with magistrates in the exercise of their legal powers. But they had a right, and he believed that in the present state of things they were absolutely bound to see that the police did not take the initiative with regard to huts without the permission of His Excellency after the facts had been gone into by him. No doubt, this was a matter which had led to great rivalry of feeling, and to much excess of language. These cases called for inquiry, if ever one did; and if it was still desired, for the purposes of intimidation, to erect the huts, the Executive would sternly repress such a desire; but if they were erected in good faith and for shelter, their erection would be allowed. Government had the undoubted power, and here, as elsewhere, it would be carefully used.

MR. JUSTIN M'CARTHY said, he thought that the debate had not been without some very useful results. He believed that the case of the unfortunate tenants of Lord Cloncurry stood then in no worse position, or it might be in a better position, than when the debate began, notwithstanding the very plausible statement of the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Plunket), who had endeavoured to make out that intimidation had been exercised towards them. It had been admitted that Lord Cloncurry was driving the hardest bargain he could with these poor tenants, and that he was endeavouring to make hay while the sun shone by seizing the highest rent that could be extorted. The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) might be pleased with the illustration he had made use of in his speech as to the payment of the tailor's bill. He (Mr. Justin M'Carthy) wanted to know whether the course taken by the tenants of Lord Cloncurry did not correspond with the course taken sometimes with a tailor's bill, particularly when that bill was exorbitant? In the case of an extortionate bill, the debtor lodged in the Court of Law the amount he considered fair and proper, and then he disputed the bill. This was what was substantially done in this case. He would appeal to the right hon. Gentleman the new Chief Secretary for Ireland to be very careful indeed how he listened to the advice or the suggestions of his Predecessor. His heart always sank within him when he heard the right hon. Member for Bradford offering any suggestion to the right hon. Gentleman. It reminded him of one of Hogarth's most famous pictures, that one which represented a waggon arriving at an inn, and from the waggon descended a young woman fresh and innocent, wholly inexperienced as to the perils of London life. Beside her was another woman, neither young in experience nor fresh, but old and very crafty, who was endeavouring to induce the fresh and innocent maiden to take her counsels and walk in her ways. So it was with the right hon. Member for Bradford. But he (Mr. Justin M'Carthy) trusted the new Chief Secretary for Ireland would be very careful how he received the advice of his old and experienced Predecessor, who seemed inclined to tempt him away from the path he was taking, and that the right hon. Gentleman, while fresh and inexperienced, would not fall into his wiles.

Lord EDMOND FITZMAURICE said, that he wished to bring back the discussion to the original question, seeing that it evinced a tendency to go somewhat wide of it. The hon. Member for Tipperary (Mr. Dillon) had opened up the subject by pointing out the hardship from which certain tenants were suffering, who were once independent men of good character, but were now being forced into the workhouse. Everyone knew with what horror the workhouse was regarded by the people of Ireland; but the House having heard the statements both of the landlords' and the Land League's Representatives would, he (Lord Edmond Fitzmaurice) thought, not hesitate for a moment to say that the persons who were immediately responsible for the present unfortunate position of those tenants were those who gave them the cruel and iniquitous advice to allow their tenant rights—which in many cases represented a considerable amount of money—to be sold at merely nominal sums. That course had been adopted by them, if not at the instigation of the Land League, at the instigation of those who professed to act for that League. He did not wish to prejudge the case. The rents were, perhaps, such as the Commissioners would lower, or they were not. But the point he wished to urge was—What was the cause of the circumstances which at present existed? He had every reason to believe that at the very time when those tenant rights were about to be sold, other tenants were, in many cases, anxious to bid; but intimidation of the grossest kind was exercised upon them immediately before the sale, if not actually while the sale was taking place. He had it on very good authority that an unfrocked priest was present at the sale, and, while professing to act on behalf of the Land League—but whether so or not, he (Lord Edmond Fitzmaurice) was unable to say—intimidated the tenants into refusing to bid for the property. In addition to this must be regarded the speeches delivered at the time and in the particular districts by eminent members of the Land League, and which contained like counsel. The hon. Member for the City of Cork (Mr. Parnell), for instance, made a speech on the 9th of September last in Sackville Street, in which, after referring to designing persons who were spreading a panic by speaking of the loss that would be sustained if the tenant allowed his interest in the holding to be sold, he said—

> "I cannot see that the tenants would lose anything at all, where it is possible for the Land League to keep the farm vacant. This has been our principle from the very commencement."

If that was not something like encouragement to the unfrocked priest, he (Lord Edmond Fitzmaurice) failed to understand the meaning of words? One of the most effectual steps the Government could take in restoring peace and order in Ireland would be to amend the present technical and expensive system involved in suits relating to rent. Many of the difficulties that arose were but the consequences of the heavy costs incurred in these actions. With respect to the particular case now before the House, Lord Cloncurry might feel assured that his personal character had been practically cleared of the aspersions that had been cast upon it; but might not the words *summum jus summa injuria* be applicable to the case? He (Lord Edmond Fitzmaurice) would suggest to him, as a means of preserving peace and order, that he should re-consider the desirability of reinstating his tenants. If he made such a sacrifice he would have the satisfaction of having made it in the interests of peace and good government—a sacrifice which at this time the Government and the House of Commons had almost a right to ask of any man who had the interest of Ireland at heart.

SIR WILLIAM HARCOURT said, he did not rise for the purpose of taking any part in the discussion, which would be useful, more especially if it should end in the spirit which characterized the speech of his noble Friend who had just sat down (Lord Edmond Fitzmaurice). He would rather appeal to the House not to consider this matter any further. The whole case had been fully stated on both sides by the parties interested, and it might very conveniently be closed in the spirit of the concluding sentence of the noble Lord. No doubt, the judgment of public opinion would be formed upon the whole discussion, and that was the only judgment which could be formed upon it. He thought he should be expressing the sentiments of the House, if he said he hoped that this discussion would now drop. Of course, if it were continued, there might, to use an old law phrase, be rebutters and surrebutters, and that would not be a very profitable form of proceeding.

PARLIAMENT — BUSINESS OF THE HOUSE—ARRANGEMENT OF PUBLIC BUSINESS.—OBSERVATIONS.

MR. LABOUCHERE said, he rose to make an appeal in reference to the Business which would be proceeded with when the House re-assembled on Thursday next. He believed the Prevention of Crime Bill would be the first Order, and that it was to be taken from day to day. A great many hon. Gentlemen would be inclined to prolong the Holiday to the end of the week, if some other Business, say, Supply, were set down for Thursday and Friday. That would also enable the Chief Secretary for Ireland to spend some days in Ireland, which would be an advantage to him, considering that he had only recently assumed Office. The right hon. Gentleman answered very fairly all the questions put to him, and a very high opinion of him was entertained by those who knew him on the Liberal side of the House. At the same time, the right hon. Gentleman was in this difficulty, that he knew personally nothing about what was going on in Ireland. He had to take what he heard from gentlemen who gave him information. It, therefore, seemed to him (Mr. Labouchere) most desirable that the right hon. Gentleman should pass not only a few days, but a little longer time in Ireland. There were many also who thought several of the clauses of the Bill might be modified. He believed that if the right hon. Gentleman had an opportunity of looking into the matter himself in Ireland, he would probably see that the modifications which had been suggested by various Members should be adopted. Therefore, that, he thought, was an additional reason for not taking this Bill on Thursday and Friday next, and giving the right hon. Gentleman an opportunity of remaining longer in Ireland. To a man having the large mind of the right hon. and learned Gentleman the Secretary of State for the Home Department (Sir William Harcourt), although he might say to the contrary, nothing was impossible; and if he would put down Supply for Thursday and Friday, he would find that the hon. Gentleman the Financial Secretary to the Treasury would be able easily, in thin Houses, to obtain a great deal of money.

SIR WILLIAM HARCOURT, in reply, said, many things might be possible to men of large minds; but he could not disobey orders. This question was put to the Prime Minister yesterday, who stated he was quite sure, with extreme regret, that he was not able to meet the wishes of Gentlemen from Ireland. In the absence of the Prime Minister, he had no discretion in the matter.

Motion *agreed to.*

Resolved, That this House, at its rising, do adjourn till Thursday 1st of June.

PREVENTION OF CRIME (IRELAND) BILL.—OBSERVATIONS.

MR. PARNELL said, a great number of the Irish Members, who had not felt themselves at liberty to go home since the beginning of the Session, were desirous of returning to Ireland during the Holidays, and he hoped that the right hon. Gentleman the Prime Minister would consider whether it was possible to postpone the consideration of the Bill till Monday, as it would be a matter of the greatest possible convenience to Irish Members who desired to spend a few days longer in Ireland. The Government would be able to utilize those two days for Supply, and would succeed in obtaining a large amount of money.

Mr. GLADSTONE, in reply, said, he could assure the hon. Member for the City of Cork (Mr. Parnell) that he felt that the wish he had expressed on the part of hon. Gentlemen from Ireland was a most natural one, and he (Mr. Gladstone) had every desire to consult the convenience of hon. Members so far as lay in his power, consistent with the proper conduct of Public Business. Her Majesty's Government had asked the House to put forward certain measures with all possible expedition, and they were bound not to permit other Business to interfere with their progress. The hon. Gentleman had suggested that Supply could be put down for Thursday and Friday next. No doubt the convenience of getting through Supply on Thursday and Friday would be very great; but the Government might find these two nights occupied by the mass of preliminary Motions standing on the Paper, and for which hon. Members had been unable to keep a House. They would, therefore, probably get no Supply, and the two days would be wasted. If, however, he could have some assurance that Supply would be taken on those two days, he would accede to the hon. Member's suggestion, as, if Votes were taken then, it would prevent a postponement of the Irish measures at a later stage for the purpose of taking Supply. He was not aware, however, that any pledge could be asked for or given that the Motion to go into Committee of Supply would not be so met. He feared, therefore, the Government had no choice but to adhere to the present arrangement.

Mr. GRAY said, that he would be perfectly willing to postpone a Motion standing in his name, if other hon. Members would do the same.

ORDER OF THE DAY.

PREVENTION OF CRIME (IRELAND) BILL.—[Bill 157.]

(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. [*Progress 25th May.*]

[FIRST NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Preamble *postponed.*

PART I.

Special Commission.

Clause 1 (Special Commission Court).

The CHAIRMAN said, the hon. Member for Wexford (Mr. Healy) had the following Amendment first on the Paper:—Clause 1, page 1, line 12, before the first word "The," insert—

> "From and after the passing of this Act, the forty-fourth Victoria, chapter four, shall be and the same is hereby repeated."

This Amendment was out of Order, and could not be put.

Mr. HEALY said, that if the Amendment was out of Order on Clause 1, could it not be moved on Clause 2 or 3, or on some other clause?

The CHAIRMAN said, the Amendment was within the title of the Bill, and should, therefore, be brought forward as a new clause.

Mr. HEALY said, his next Amendment was in line 12, after "Lieutenant," to insert "with the consent of the Judges of the Supreme Court of Judicature." He considered that the Judges upon whom would devolve the responsibility for the carrying out of the Act should be consulted by the Lord Lieutenant. The Committee knew by the evidence the Judges had given before the Court of Inquiry in the House of Lords that a number of these learned gentlemen, while they had their own views as to the efficacy of the present system of trial by jury in Ireland, strongly condemned any such proposal for its abolition as that in the Bill. Even Mr. Justice Fitzgerald and Mr. Justice Barry were of that opinion, and a Memorial, as the Committee were aware, had recently been addressed to the Government by the Irish Judges, embodying a request that trial by jury should not be interfered with in the way the Government proposed to interfere with it. If the proposal contained in the present Amendment were adopted, it might have the effect of enabling the Lord Lieutenant to devise some scheme for the holding of trials in Ireland more satisfactory than that of the Bill. Moreover, if the Lord Lieutenant could have the advantage of taking the advice of a number of the Judges, the councils of the Lord Lieutenant would be very considerably benefited. The Amendment was, he thought, a reasonable one. It would place some check on the action of the Lord Lieutenant, and, for that reason alone, should be acceptable. The proposal down to line 16 was of a different character to the proposal in the concluding portion of the clause. The first part of the clause would give the Lord Lieutenant power to issue Commissions for the trial of persons charged with certain offences without abolishing trial by jury—it would give the Lord Lieutenant power to establish Special Commissioners without interfering with the present jury system. That was altogether different from the concluding portion of the clause, which, after the recital of the offences, went on to empower the Lord Lieutenant absolutely to abolish trial by jury. On all grounds, with reference to the first and concluding portions of the clause, he thought it desirable that the Lord Lieutenant should have the advice of the Judges of the Supreme Court of Judicature.

Amendment proposed, in page 1, line 12, after "Lieutenant," insert "with the consent of the Judges of the Supreme Court of Judicature."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

SIR WILLIAM HARCOURT: The hon. Member's Amendment would be absolutely inconsistent with, and fatal to, the whole structure of the Bill. The Lord Lieutenant represents the Crown. The Crown, when it issues a Special Commission, issues it as a mandatory, directory, authority, or power to the Judges, commanding them to try certain offences. But to say that the Crown is to exercise the power of issuing a Special Commission "with the consent of the Judges," would be contrary to all conception of the relations which exist between the Crown and the Judges. Therefore, the Amendment is entirely inadmissible. In reference to what the hon. Member has said as to the earlier part of the clause and its concluding portion, I can answer him in a single sentence. The idea is not that the Lord Lieutenant shall appoint a particular Commission for the trial of each individual case as it arises, but that he shall appoint a Special Commission generally, to which each case as it arises will be referred. The Clause says—

> "The Lord Lieutenant may, from time to time, direct a Commission or Commissions to be issued for the appointment of a Court or Courts of Special Commissioners for the trial in manner provided by this Act of persons charged with any of the following offences."

The hon. Member will see the kind of crimes to try persons accused of which the Commission will be issued.

MR. BIGGAR said, with regard to what had fallen from the right hon. and learned Gentleman in January last year, they had had a trial—that of "Parnell and Others"—at which Mr. Chief Justice May had refused to be present. Was not that a case in point? After a statement he had made on a previous occasion that showed him to be biassed in the case, Chief Justice May came into Court, and said that under the circumstances he could not proceed with the trial or take any part in the proceedings; and the result was that the case was tried by other Judges of the Queen's Bench. It seemed to him (Mr. Biggar) that it was desirable that such a provision as that proposed by his hon. Friend (Mr. Healy) should be introduced, and for the reason that it might be proposed by the Lord Lieutenant that some Judge who had a strong objection to acting both as Judge and jury should proceed to take part in trials under the Bill, or that some Judge should officiate who might have said, "This is a case on which I have formed a very strong opinion, and I do not consider myself justified in trying it." He thought that where a Judge was biassed—as Chief Justice May had been—he should not be compelled to try a case if he did not wish to.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, everyone recollected the circumstance of Chief Justice May's declining to sit on the case to which reference had been made. The learned Chief Justice himself had considered it was more consistent with the due administration of justice that he should not sit on the case, and it was not necessary that he should sit.

MR. P. MARTIN said, the right hon. and learned Gentleman the Secretary of State for the Home Department opposed the Amendment, on the ground that it was inconsistent with the relations that ought to exist between the Crown and the Judges. But he submitted that this dangerous and unconstitutional clause would have the very effect which the right hon. and learned Gentleman deprecated. As the power given to the Lord Lieutenant would be extraordinary and unprecedented, why should not its exercise be checked as proposed by the Irish Judges? The question in substance was—Would the Committee impose on the Irish Bench the discharge of duties which each and every member of that Bench declared would seriously impair public confidence in their judicial office, and permanently injure the administration of justice in Ireland? Last year the matter had been fully considered by the Lords' Committee of Inquiry into the Jury Laws in Ireland, and the evidence of two of the most eminent Judges in that country had been taken on the point. Mr. Justice Barry had stated, in the most emphatic terms possible, that, in point of fact, the thrusting upon the Judges of any such authority would, in itself, be most unfortunate. He had said he should consider it a very unfortunate suggestion; and he was satisfied that sending down Judges to try men without juries would destroy public confidence in them, and he did not think they would be ever able to restore it again. Mr. Justice Lawson had given evidence to the same effect. It would be found that although some witnesses urged on the Lords' Committee the recommendation of the provision of the present Bill, that Committee refused to adopt it, and all they recommended was a special tribunal. The matter, however, did not rest on the opinion of the Judges. When the Bill of 1833 was before the House, the opinions of two most eminent English statesmen were delivered in noteworthy and unmistakeable terms in respect to a proposal similar to that which they were now asked to adopt. On the 27th February, 1833, as will be found recorded in *Hansard*, thus did the late Lord Althorp express his convictions—

> "It had been mentioned, amongst other things, that a Judge of Assize ought to be sent down to try offenders without the aid of a jury; but there was not a single precedent in favour of such a course, which would be dangerous in itself, and more unconstitutional than anything which had, up to then, been suggested."

That, which was the opinion of one of the greatest statesmen in England, was given after hearing all the arguments which could be urged in the matter. The late Lord Derby—then Mr. Stanley—also delivered in emphatic terms his opinion as to the suggestion. He said—

> "It would be with the greatest alarm and repugnance that I should contemplate the employment of Judges of the land—of men whose characters ought to be beyond stain, or even the imputation of a stain, of men who should strictly confine themselves to the letter as well as to the spirit of the law—in such work as had been suggested."

If the late Lord Derby were alive now, he would have pointed out how cases might arise where judgments given from time to time by the Judges would be brought up for discussion in the House of Commons. If the popular Party felt aggrieved in the slightest manner by a judgment, that judgment would, in all likelihood, be canvassed with acrimony in the House. Was that a position in which the Judges ought to be placed? What ought to be the duties and the character of the Judges? Was it not the duty of a Judge to preserve the subject from the inroads of the Executive, and from the attacks which the Executive might make upon Constitutional rights and privileges? It was now proposed to impair that confidence which the public had in his impartiality, to alter that character and position with which he was heretofore invested, and to turn him into a mere tool of the Executive. If the Bill passed in its present shape, he feared that such was the estimation in which a Judge in Ireland would be held. Let not the Committee imagine that the course of justice would be made more secure and certain. He believed there never was a tribunal before which a criminal could more easily escape than from a tribunal composed of three Judges, who were to be unanimous, and from whom there was the power of appeal. So far as the criminal was concerned, the tribunal of Judges would be just as uncertain as a tribunal of 12 men. He was happy to say that he believed they had in Ireland on the Judicial Bench men as high-minded and as upright as any men who ever honoured the Judiciary of any country. That being so, it was upon other and higher grounds that he objected altogether to this provision of the Bill. If they were to listen to the reasons urged for the establishment of this special tribunal——

The CHAIRMAN: I must point out to the hon. Member for Kilkenny (Mr. Martin) that his speech relates to the whole clause, and would be quite in Order, when the Question is that the clause stand part of the Bill. The Amendment now under consideration is as to whether the Lord Lieutenant shall exercise the power "with the consent of the Judges of the Supreme Court of Judicature."

Mr. HEALY said, that for their future guidance, might he ask whether a Member might not discuss an Amendment as it affected the entire clause? The present Amendment, if carried, would affect the clause as a whole; in fact, it would change the sense and character of the clause entirely. He submitted to the right hon. Gentleman the Chairman of Committees, whether an hon. Member was not entitled to discuss an Amendment in its bearing to the clause as a whole?

Sir WILLIAM HARCOURT said, that, on the point of Order, he had to say that if the Judges consented, then the Judges would act. It was a question whether the Judges were to give their consent or not.

The CHAIRMAN: Under certain circumstances, an hon. Member would be in Order in discussing the bearings of an Amendment on the whole clause; but, at the present moment, the question is simply whether the Lord Lieutenant may direct a Commission to be issued with the consent of certain Judges; and I must ask the hon. Member for Kilkenny (Mr. Martin) to confine his remarks to that point.

Mr. P. MARTIN said, that, of course, he should bow to the ruling of the Chair; but it struck him he had a right to explain what the nature of the clause was. He, however, only rose for the purpose of expressing his intention to support the Amendment, because, in his opinion, it would, to a certain extent, control, if not prevent, the exercise by the Lord Lieutenant of the power proposed to be left at his arbitrary discretion under the clause.

Mr. BULWER said, the clause provided that—

> "The Lord Lieutenant may from time to time direct a Commission or Commissions to be issued for the appointment of a Court or Courts of Special Commissioners;"

and then it went on to say—

> "A Special Commission Court shall consist of three Judges of the Supreme Court of Judicature in Ireland."

He would be glad to know whether the Special Commission to be appointed was to consist of only three Judges, or of five or six Judges; and whether the three Judges, who were to try any particular case, were to be chosen exclusively by the Lord Lieutenant, or by themselves? In this country, a large number of Judges were included in a Commission, so that, in case of the illness or inability of any of the members, the Court might not be at a standstill. If each Special Commission was to consist of only three Judges, it might very often happen, on account of the illness of one of the members of the Commission, or through some other cause, that a trial would be postponed, or be abortive.

The CHAIRMAN: That point really arises under sub-section 2 of this clause. It can scarcely be raised on the present Amendment.

Mr. W. H. SMITH said, it appeared to him that the Committee ought not to accept the Amendment, because it placed responsibility upon the Judges in the wrong place, and at the wrong time. The necessity of some new tribunal was very generally admitted; but, under the circumstances, it appeared to him that the responsibility of issuing the Commission ought not to be shared by those who were the persons to discharge the duties under the Commission. The responsibility should rest with the head of the Executive Government in the country.

Mr. R. T. REID said, he did not think the Amendment carried out the purpose its proposer had in view. He understood that no person would be tried without jury, except some Judges should have decided he should be so tried. If that was the purpose of the Amendment, the proper course for the hon. Gentleman the Member for Wexford (Mr. Healy) to pursue was to go to line 23, and say—"that no person shall be tried by a Special Commission whenever it appears to the Judges," instead of saying—"whenever it appears to the Lord Lieutenant."

Mr. HEALY said, the Amendment was taken in connection with another Amendment lower down on the Paper. His proposition was that trial should first take place with a jury, and then, if there was a disagreement, the Judge who presided at the trial should be taken into the confidence of the Lord Lieutenant, and should advise the Lord Lieutenant as to the future trial of the accused man. If the Government would indicate to the Committee whether they would allow a man first of all to be tried by an ordinary jury, and then, if there was any failure of justice, by a tribunal of three Judges, he would be prepared to withdraw the Amendment. There had been no such indication on the part of the Government, and it was necessary he should propose the present Amendment, in conjunction with the one he had further down. He admitted the course was unusual; but the Bill was an unusual one. They were bound to meet unusual and exceptional courses in an unusual and exceptional way.

Mr. O'KELLY said, the Amendment was calculated to prevent vexatious legal proceedings on the part of the politicians who would have the power to use the Act. If the Amendment were accepted by the Committee, it would not be in the power of the purely political element in Ireland to institute legal proceedings of a vexatious kind against anyone in Ireland without having the consent of the Judges. He did not exactly share the opinion of his hon. Friend the Member for Kilkenny (Mr. Martin) with regard to the Irish Judges; but he considered they were men who would be guided by some rules of legal evidence, and men who would be less likely to act from purely political motives, and with the object of inflicting political vengeance, than the gentlemen who might have the administration of the Act when it became law. If the Committee accepted the Amendment, there would be some protection against the arbitrary use of the Bill; and from that point of view he would certainly advise his hon. Friend the Member for Wexford (Mr. Healy) to press his Amendment.

Sir WILLIAM HARCOURT said, he wished to point out to the hon. Member for Wexford (Mr. Healy) that this Amendment did not at all correspond with what he stated was the view of his later Amendment—namely, that there should, first of all, be trial by jury, and afterwards, in case of a disagreement, a trial by Judges. The present Amendment simply provided that no Commission should be issued except with the consent of the Judges, and there was no mention whatever of any failure of justice.

Colonel NOLAN supported the Amendment. The Bill was a very strong one; in fact, it placed absolutely despotic powers in the hands of the Lord Lieutenant. There ought to be some limit to the powers of the Lord Lieutenant, and they were now discussing whether His Excellency should, of his own motion, have power to issue a Commission. He did not believe the Committee would insist on three Judges, for the Judges had so much distaste for the work that, in his belief, the Judges would not be appointed. He thought it would be right to surround the Bill with as many of the old forms of justice as possible, and in some way to place responsibility on the Judges; and he therefore thought the Amendment very good. The Judges ought, at least, to be consulted on the appointment of Commissions, and the Bill was of such a sweeping character that every possible safeguard ought to be introduced.

Dr. COMMINS said, the question was whether there was to be any responsibility at all for issuing a Commission. The right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) had mistaken the point of the Amendment, when he said the object of the hon. Member for Wexford (Mr. Healy) was to place the responsibility on the wrong people—namely, on the Judges. The intention of the hon. Member for Wexford was to insure some person being responsible for the issuing of a Commission. The Lord Lieutenant was not responsible to that House; he could not be interrogated in that House, and was not legally responsible for any action that he might take. The Lord Lieutenant was, probably, the only person in the Kingdom, except Her Majesty, who was absolved from all responsibility to the law. Some years ago, there was an unfortunate affray in the Phœnix Park, which resulted from an order of the Lord Lieutenant for the time, and his Chief Secretary, the present Secretary of State for India (the Marquess of Hartington). A member of the Press named O'Byrne obtained £1,000 in damages against the Chief Secretary; but a point of law was raised that the action of the police was done under an order of the Chief Secretary, and the Chief Secretary was entitled to plead the direction of the Lord Lieutenant; and the Court of Exchequer decided that the order of the Chief Secretary and the order of the Lord Lieutenant were acts of State, entirely beyond the cognizance of the law, and could not be called in question by a Court of Law any more than an act of Her Majesty the Queen could be. That was the law in Ireland; but in England no person, except the Queen, was beyond responsibility to the law. The law said the Queen could do no wrong, and if wrong was done in Her name, the responsible Minister must be ready to render an account in a Court of Law. Wrong of the most grievous kind might be done in Ireland, not by the Queen, but by a Minister who yet was not responsible. The object of the hon. Member for Wexford was to introduce something like responsibility in regard to these Commissions. The hon. Member might not have taken the best course in that direction; for it struck him (Dr. Commins) that it might have been better to introduce after "the Lord Lieutenant" the words "with the advice of the Privy Council." The Privy Council would then be liable, and there would be some authority that could be brought to the Bar of the House to answer for the issuing of a Commission. At present there was no person responsible, and if the Bill passed in its present form, the Lord Lieutenant might have reasons that would not bear investigation for the issuing of a Commission, and no person could be called upon to answer for that having been done. Therefore, although he believed that would be an imperfect form of responsibility, it would be wiser to insert, "with the advice of the Privy Council," and he should support the Amendment.

SIR WILLIAM HARCOURT: The hon. Member (Dr. Commins) has stated that there is no responsibility on the part of the Lord Lieutenant, and that the Lord Lieutenant cannot be brought before this House. The Judges cannot be brought before this House, except in the same manner as the Lord Lieutenant. If a Judge misconducts himself or comes to a wrong conclusion, the only way in which you can make him responsible is by an Address to the Crown to remove him from the Bench. Why could you not have an Address to the Crown to remove the Lord Lieutenant? The responsibility of the Lord Lieutenant is as great as that of a Judge, or even greater. The Lord Lieutenant is a Member of the Cabinet, and he and every other Member of the Cabinet is responsible for any acts done; and in these matters you can make him amenable neither more nor less than a Judge. We shall only diminish the responsibility by introducing another authority. If you want the most complete responsibility, have it in a Cabinet Minister, who is responsible to this House, and with whom is also responsible the Chief Secretary for Ireland, who is his organ in this House. It seems to me that as regards responsibility you cannot have it more completely than by placing it upon the Lord Lieutenant.

MR. FIRTH said, it seemed to him that the clause was clearly sufficient in regard to the duty of the Lord Lieutenant. His act would be an *ex-officio* act in his position as the Representative of the Queen; but his responsibility was in setting a Commission to work, and not in nominating a Commission.

MR. MARUM thought the proposal of the hon. Member for Wexford (Mr. Healy) was most reasonable, because no one could know better than the Judges whether it was necessary to substitute trial by three Judges for trial by jury. The object of the Amendment was to enable the Lord Lieutenant to come in contact with the judicial mind of the Judges, and to ascertain distinctly from them, and not from the Executive, whether there was any necessity for a Commission. One of the most objectionable features in regard to any Government was that the Executive was obliged to rely on the police—and that was especially the case in Ireland—in order to ascertain whether it was necessary to substitute a summary process for trial by jury. The purpose of the Amendment was to insure that, where the Lord Lieutenant was not associated with the Privy Council, he should be associated with the Judges before issuing a Commission abolishing the right of trial by jury.

Mr. BULWER thought there was some misunderstanding upon the point. He understood from the right hon. and learned Gentleman the Secretary of State for the Home Department that the purpose of the Government was that the Lord Lieutenant should decide upon the issuing of a Commission. The object was to appoint a Commission of Judges to deal with certain cases should they arise, and he thought he might put an analogous case. The House had decided that Election Petitions should be tried by Judges, and the Judges were appointed by rota; but it did not follow that because Judges were appointed every year Petitions would come up for trial. It might be proper that when a case of treason-felony arose, the Lord Lieutenant, if he desired the advice of more experienced men as to whether such an offence should be tried by a jury or by a Commission, might take the opinion of the Judges. He did not understand this provision as substituting a special tribunal for the ordinary mode of trial in every case dealt with by the 1st clause. It was only authorizing the Lord Lieutenant to issue a Commission; but if he thought it wise, he could direct that any case might still be tried by a jury.

Mr. O'DONNELL said, he was not, for many reasons, inclined to support the Amendment. The proposition was that the authority of the Lord Lieutenant should be limited by the consent of the Judges; but, apart from other objections to that, there was this fundamental objection—that, as far as he was aware, the Judges of the Supreme Court of Judicature had not exhibited any quality which would lead to the supposition that the Lord Lieutenant, if advised by them, would be more careful of Irish liberty than without that advice. It would appear, from the discussion of this Bill, that the Irish Party did not believe in the judicial mind of the Judges of the Supreme Court of Judicature in Ireland as applied to Irish Party politics. So the only ground upon which he could explain his hon. Friend's (Mr. Healy's) Amendment was that he must be relying on the recent declaration of the Judges against having anything to do with this Bill at all. He (Mr. O'Donnell) thought his hon. Friend displayed a credulity quite alien to his usual acuteness of character, when he believed that the Judges of the Supreme Court would long resist the pressure which the persuasions of Her Majesty's Government would exercise on the minds of the Judges. There was already substantial proof that the Government did not believe in the independence of the intentions of the Supreme Court, for, notwithstanding the protest of the Judges against having anything to do with the Bill, the Government had now taken the first steps towards paying the Judges for duties which they had declared they did not wish to take up. That was a proceeding by which the Government could influence the Irish Judges to do something which the Irish people did not wish them to do. He could not but think that, if the Lord Lieutenant was to have a coadjutor at all, the proper person to be his coadjutor would be the right hon. and learned Gentleman who had brought this Bill in (Sir William Harcourt). The right hon. and learned Gentleman was put down on the Bill as having prepared and brought it in; and, from the view of Irish patriotism, it would be much better to appoint the right hon. and learned Gentleman the Adviser of the Lord Lieutenant, instead of the Irish Judges. The Lord Lieutenant, under this Bill, would be the merest puppet worked from Downing Street; he would be the man behind the screen. It would be the English Government who would really be responsible for whatever the Lord Lieutenant did. He fully agreed with two or three of his hon. Friends that if any good was to be got out of this Bill there was a great necessity for having some sort of council of an Irish character, and in some sort of contact with Irish opinion, associated with the Lord Lieutenant. No Lord Lieutenant, for a very long time to come—during the whole time in which the Liberal Party would be in fear of the Tory Party, and he saw no immediate prospect of the Liberal Party emancipating themselves from the control of the Conservative Party in Irish affairs—there was no probability of the Lord Lieutenant coming in contact with Irish opinion. The Secretary of State for the Home Department, his name being on the back of this Bill, would enjoy the advantage in regard to Irish administration that, in case of necessity, he might receive the respectful rebuke of the Irish Members. There could be no doubt that even the right hon. Gentleman the late Chief Secretary for Ireland (Mr. W. E. Forster) owed much to the kindly councils which continually attended his steps, and which were continually tendered to him from the Benches of the Irish Party. Irish Members would have no hold on the Lord Lieutenant or the Irish Judges, and neither the Lord Lieutenant nor the Irish Judges would be responsible to Parliament; but if the Secretary of State for the Home Department was introduced in the Bill, instead of the Irish Judges, then there would be a responsible Minister to whom the Irish Party could directly address their observations of complaint; and he confessed that he should by no means be without hope that the silent character and independent and firm will of the right hon. and learned Gentleman would be of very great use in this matter. The Amendment introducing the Irish Judges would be quite useless; and, for his part, as the whole of the rest of the action of the Irish Party would be directed against trusting the Irish Judges with any exceptional powers, he should feel bound to follow the general action of the Irish Party in this matter, and vote, if necessary, against his hon. Friend.

MR. HEALY said, he did not desire to go to a division on the question; but he would like to have some idea from the Secretary of State for the Home Department upon the point he had raised. He had put down, later on, an Amendment, to which this Amendment was consequential, with regard to trial by jury, and upon the point of dispensing with trial by jury. No reply had been given upon that point, and he should be glad to have some information before deciding whether to take a division or not. With regard to the observations of the hon. Member for Dungarvan (Mr. O'Donnell), the Irish Judges had given evidence in the House of Lords, and had presented a Memorial which led to the supposition that they objected to the abolition of trial by jury; and, therefore, he thought they would constitute an admirable check on the functions of the Lord Lieutenant. He had no desire to waste time; but he should like some information from the Government as to whether their minds were open upon this question of trial by jury.

THE CHAIRMAN: The hon. Member has asked for information on an Amendment which comes later on in the Paper, and it is not in Order to discuss or explain that subject now.

MR. JOSEPH COWEN said, the object of his hon. Friend's (Mr. Healy's) Amendment was simply to put on the Judges a share of the responsibility with the Lord Lieutenant for this unconstitutional action. The hon. Member for Wexford proposed to insert the Judges in the Bill, while the hon. Member for Dungarvan (Mr. O'Donnell) proposed to insert the Secretary of State for the Home Department; but neither proposition seemed to him (Mr. Joseph Cowen) satisfactory. He would suggest that they might insert the Privy Council. The Privy Council was supposed to advise the Lord Lieutenant on any proceeding he might take; but it was not often that the Lord Lieutenant consulted the Privy Council. In this matter, under special circumstances, the Lord Lieutenant might issue a Commission "with the consent of the Privy Council," and if the hon. Member for Wexford would withdraw his Amendment he (Mr. Joseph Cowen) would move to introduce these words instead.

MR. BIGGAR said, there was one argument that had not been advanced. It had been pointed out earlier in the evening that Mr. Clifford Lloyd had been a very confidential adviser of the right hon. Gentleman the late Chief Secretary for Ireland (Mr. W. E. Forster), and he thought it was very much more desirable to have gentlemen of position who were known and could be pointed out as advisers of the Government, than obscure men, such as were consulted by the late Chief Secretary for Ireland, in whom the Irish people could have no confidence whatever. It was very likely that, in many cases of that sort, no one would know who the persons consulted were. They knew who Mr. Clifford Lloyd was; but there might be men quite as bad as he, and yet could not be pointed out. He was not giving a certificate of character to the Irish Judges—it was no part of his duty to do so; but he thought it desirable that gentlemen of official position, who were before the world, should be the advisers of the Government, instead of obscure men.

Question put, and *negatived.*

Committee report Progress; to sit again upon *Thursday* next.

MOTION.

LOCAL GOVERNMENT PROVISIONAL ORDER (NO. 11) BILL.

On Motion of Mr. Hibbert, Bill to confirm a Provisional Order of the Local Government Board relating to the Local Government District of Workington, *ordered* to be brought in by Mr. Hibbert and Mr. Dodson.

Bill *presented*, and read the first time. [Bill 186.]

House adjourned at five minutes before Seven o'clock till Thursday 1st June.

HOUSE OF LORDS,

Thursday, 1st June, 1882.

MINUTES.]—Public Bills—*First Reading*—Metropolis Management and Building Acts Amendment* (104); County Courts (Ireland)* (105); Local Government Provisional Orders* (106); Local Government Provisional Orders (Poor Law)* (107).

Report—Petty Sessions (Ireland)* (89).

Third Reading—Elementary Education Provisional Order Confirmation (London)* (56); Elementary Education Provisional Orders Confirmation (West Ham, &c.)* (55); Local Government Provisional Order (Highways)* (82); Commons Regulation Provisional Orders* (88); Public Health (Scotland) Act Amendment* (84), and *passed.*

EGYPT (POLITICAL AFFAIRS.)

QUESTION.

The Marquess of SALISBURY: My Lords, I wish to ask the noble Earl the Secretary of State for Foreign Affairs, Whether he is in a position to give the House any information with respect to the state of affairs in Egypt?

Earl GRANVILLE: My Lords, the state of affairs in Egypt is, as your Lordships are too well aware, of a very serious character. Notwithstanding the courage and resolution shown by the Khedive, Arabi Bey may be said to be for the time *de facto* ruler of the country. His power being based only on the Army, and not on the will of the country, he may proceed to political extremities. Her Majesty's Government have taken measures to secure the life and property of Europeans in Alexandria. There have already arrived three vessels, and the French have also three vessels there. Three more vessels of ours will arrive, I hope, this evening or to-morrow morning, and I hope a similar contingent of the French Squadron will arrive at the same time. We believe there is some exaggeration in the alarm as to the personal safety of Europeans; and I may state that there is no fear with regard to the maintenance of our telegraphic communications with that country. The importance of securing the safety of the Suez Canal has not been overlooked. We have thought it right to advise the Sultan—and in that we have not only the support of France, but the express support of all the Powers—to advise the Sultan to support the Khedive, and reject the accusations made against him by ex-Ministers, and to summon to Constantinople the three officers at the head of the military movement. At the stage which matters have now reached, it seemed desirable that the flag of the Sovereign should be represented at Alexandria, and we have suggested to the Sultan that a Turkish officer should be sent there in an Ottoman man-of-war. We have agreed to a proposal of the French Government for a Conference of the Powers and of Turkey, at Constantinople, on the basis of the maintenance of the *status quo* in Egypt, and to settle the measures necessary to put an end to the present crisis. This proposal is entirely in harmony with the principles of policy which I have laid down in communications to M. Gambetta and to M. de Freycinet, and with the declarations which have been jointly made by the two Governments to the other Powers and to Turkey. I propose now to present to the House certain Papers with regard to Egypt; and I hope, after communication with the French Government, to be able to lay on the Table further Papers extending to a very late date.

The Marquess of SALISBURY: On the occasion of a recent answer of the noble Earl, I was glad to be able to say that, so far as I could see, there was no objection to be taken to it. I regret to say that I am wholly unable to make a similar observation with respect to the statement which has just been made. As I understand the noble Earl, the measures that Her Majesty's Government have taken in this grave crisis are to send some more ships to Alexandria; to suggest to the Sultan that he might float his flag in Alexandria; to ask for a Conference at Constantinople; and to suggest further to the Sultan that he should invite Arabi Pasha to Constantinople. I think it is not hazarding a very audacious prophecy to say that Arabi Pasha will politely but firmly decline that invitation. The point which, as far as I can interpret their language, appears to have escaped the attention of Her Majesty's Government is that, whatever the European Conference may undertake to do or decide, Her Majesty's Government are in honour bound, as deeply as any nation can be, if we have been rightly informed, to do two things. First, they have demanded—I am under correction if the telegram in the newspapers is wholly inaccurate—but I understand them to have demanded that Arabi Pasha and his colleagues shall be removed from Egypt, or at least that Arabi shall be removed from Egypt and his colleagues sent into the interior, and they have stated their intention of exacting in case of necessity the fulfilment of this demand. Now, no decision which the European Conference may come to will relieve Her Majesty's Government of the necessity of acting up to the demand which they have so solemnly made, and of giving effect to the threats by which they have not only pledged the honour of their own country, but have also guided the action of those who are our partizans in Egypt and of the Khedive himself. The other point in respect to which Her Majesty's Government seem to me to be deeply pledged is to maintain the safety of the Khedive, who has implicitly followed their counsels; and who, if he now finds himself in a position of danger, will feel that it is because he has obeyed the directions and trusted to the promises of the Western Powers. My Lords, these are very grave duties incumbent upon Her Majesty's Government as the result of their own acts; and no consultation at Constantinople, no invocation of the European Concert, can in the very faintest degree diminish the burden or stringency of those obligations. There is one other point on which I wish to ask the noble Earl a Question. I am aware that he is not fond of giving answers to Questions put without Notice, and it is possible that he may refuse to give an answer in the present case; but a statement of a very grave character, and coming from Alexandria, has just been put into my hands. I am told, and that on what I believe to be good authority—

> "There are 6,000 soldiers in Alexandria. For four days they have been erecting six formidable earthworks all round the harbour. The English and French Governments will not let the Fleets stop them, although it could be easily done now. The whole of the Native population are with Arabi Pasha since his return to Power."

I cannot, as I said, expect Her Majesty's Government to give me an answer as to this without Notice; but if they are deliberately allowing these forts to be built, and are refusing to allow the Fleets to take the precautions which at once, and without any breach of International Law, would put a stop to these works, I think they are running a great risk and are taking a most imprudent course. In conclusion, I will only express the hope that this European Conference will not be distinguished for the protracted councils by which Conferences are known to be marked, and that the negotiations with the Porte, whatever they are, may be speedy. The crisis does not brook delay. The state of comparative prosperity and order that was set up in Egypt is already seriously impaired and its very existence menaced. The lives of persons whom we have induced to act under our counsels are imperilled by delay, and all the responsibility will fall on the head of the two Western Powers, and, as far as we are concerned, on the heads of Her Majesty's Government, if they permit these—as it seems to me—superfluous negotiations at Constantinople to interfere with the primary duty of prompt and effective action.

Earl GRANVILLE: I will only say one word in reply to the noble Marquess. I am not surprised that your Lordships should feel anxious to know what information the Government have to give, and I think your Lordships may also, at the moment when success has not been obtained, wish to hear the explanation of Her Majesty's Government; but I can conceive nothing more inconvenient than that the discussion on the conduct of Her Majesty's Government should take place piecemeal, and not as a whole, and in the perfect manner which will be possible in a very short time. The only other word I should like to say in regard to the appeal which the noble Marquess has made with respect to the responsibility attaching to Her Majesty's Government to act up to their pledges is, that we do not shrink from that responsibility in the slightest degree; but, with our knowledge of all the circumstances of the case, we must be left to judge as to the best and most effective means of fulfilling those pledges.

NAVAL EDUCATION—THE ROYAL NAVAL COLLEGE.

QUESTION. OBSERVATIONS.

VISCOUNT SIDMOUTH, in rising to ask the First Lord of the Admiralty, Whether it would be feasible to supply the means for the efficient scientific instruction of the junior officers of the Royal Navy elsewhere than at the Royal Naval College, Greenwich, and without so long an interruption of their service afloat as is necessitated by the existing regulations? said, he wished to call attention to the fact that instruction at the Royal Naval College was given to junior officers of 19 or 20 years of age, who were then at a period of life when, in the opinion of the best naval authorities, they would be better employed on board ships. As things were, the young officer at the crisis of his education was withdrawn from his naval studies, in order to go through a six months' course of English, French, algebra, geometry, trigonometry, steam, and other subjects, which could not possibly be learnt in the time allotted. And, while no one could become proficient in these subjects in the given time, there were many young men to whom the six months thus spent were virtually thrown away, but who would, for all that, make admirable officers. Without disparaging science or being unduly a *laudator temporis acti*, he could not but think of the past glories of the British Navy, and reflect that the system from which they resulted scarcely needed an apologist even in the present day. He objected to Greenwich as a place of study. It was not the best of places for young men, being only about five miles from London, where they came to pass their holidays, and where they acquired expensive habits. He understood that the education of the sub-lieutenants was progressing very well under the efficient direction of Sir Geoffrey Hornby; but he trusted that the noble Earl would be able to change the present arrangements, that special scientific instruction might be given to those who had a taste for it, or, at any rate, that it would not be thought necessary to withdraw all the young officers from the sea for six months of the most important period of their lives.

THE EARL OF NORTHBROOK said, that the noble Viscount asked two Questions, and he was sorry that he could not hold out any expectation of giving an answer in the affirmative. As to the position of the College, it was carefully settled some years ago, during the tenure of Office of his Predecessors. It was considered that the College would afford great facilities to the senior officers in learning the duties of their profession, and also enable the junior officers to acquire the instruction which would be necessary for advancement in their profession. It was considered that the proximity of the College to London, whence the highest scientific assistance could be obtained, would be a great advantage to a Naval College. As to the noble Viscount's statement that Greenwich was not a suitable place for young men, he (the Earl of Northbrook) had received no information which led him to believe that it was worse in this respect than any other place. On the contrary, he had been assured by Sir Geoffrey Hornby, whose high capacity had been rightly praised by the noble Viscount, that the presence of the young officers at the College was in no way disadvantageous; indeed, his own opinion was that it was important for them thus early in life to associate with officers of higher rank than themselves. He was, therefore, unable to hold out to the noble Viscount any hope that the College would be removed from its present position. At the same time, the noble Viscount had certainly touched upon one of the difficulties of modern naval education—the problem—namely, of reconciling the attainment of practical and scientific knowledge. The question did not admit of an easy settlement; but, after five years spent at sea, six months would probably not be thought too long a time to allow for the theoretical part of an officer's education. To these six months must be added the short period spent at Portsmouth in the study of gunnery and torpedo warfare, without which knowledge no officer would be fit for service in the present day. The Board of Admiralty were not of opinion that any choice should be allowed to the young officers of the various branches of the Service to which they might wish specially to devote themselves. Practical seamanship would always be of the greatest value; but as ships were now wholly propelled by steam, scientific knowledge was every day becoming more and more important. He was sorry he could not give a different answer to the noble Viscount's Questions.

VISCOUNT SIDMOUTH explained that his objection was that the period was too small for the immense amount of work to be done.

House adjourned at a quarter past Five o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 1st June, 1882.

MINUTES.]—PUBLIC BILLS—*Ordered—First Reading*—County Courts (Advocates' Costs) * [188]; Wellesley Bridge (Limerick) * [189].

Second Reading—Local Government Provisional Orders (No. 6) * [166]; Local Government Provisional Orders (No. 7) * [167]; Local Government Provisional Order (No. 8) * [168]; Local Government Provisional Orders (No. 9) * [174]; Local Government Provisional Order (No. 10) * [181]; Local Government Provisional Order (No. 11) * [186]; Local Government (Ireland) Provisional Orders (No. 3) * [172].

Select Committee—Public Offices Site * [111], *nominated.*

Committee—Prevention of Crime (Ireland) [157] —R.P. [*Second Night*].

Committee — Report — Artillery Ranges (*re-comm.*) * [183].

Considered as amended—Poor Rates * [171].

QUESTIONS.

EGYPT (POLITICAL AFFAIRS).

SIR R. ASSHETON CROSS: Sir, I take the opportunity, in the absence of my right hon. Friend (Sir Stafford Northcote), who is unavoidably absent to-day, of letting the Prime Minister know that the House is very anxious to be told all that can be communicated to it as to the state of Egypt at the present moment; and I had intended to give Notice of certain Questions to the Government either for to-day or to-morrow, whichever might be most convenient to them. Perhaps, however, the best course would be simply to ask the Prime Minister, in the first instance, if he could give us full information of the exact state of affairs in Egypt; and, if necessary, I will supplement that with other Questions afterwards.

SIR CHARLES W. DILKE: I have been requested by my right hon. Friend to reply to the right hon. Gentleman's Question. In view of the interest which attaches to the present state of affairs in Egypt, and of the contradictory rumours which are current, it will be convenient that I should place before the House shortly, and as far as the interests of the Public Service will allow, a statement of the steps which have been taken by Her Majesty's Government since the adjournment of this House. The French Government have proposed to invite the other Great Powers and the Porte to agree to a Conference to discuss the situation. Her Majesty's Government have assented to a Conference, to be held at Constantinople, the basis of its deliberations being the maintenance of the rights of the Sovereign and of the Khedive; the upholding of the International engagements and the arrangements existing under them; the preservation of the liberties secured by the Firmans of the Sultan, together with the prudent development of Egyptian institutions; and the settlement of the measures necessary to restore order. Her Majesty's Government had already proposed to M. de Freycinet, on his accession to Office on the 6th of February last, to take the other Powers into consultation, and two Circulars in that sense were accordingly addressed to the Powers. Her Majesty's Government, therefore, gladly agreed to the present proposal. It is possible that one objection might be raised to this mode of proceeding—namely, that it would cause delay; but we believe, on the contrary, that, under the present circumstances, it will afford the speediest means of arriving at the restoration of order in Egypt. Her Majesty's Government have been in communication with Admiral Sir Beauchamp Seymour as to the protection of the Suez Canal and the security of telegraphic communication with Egypt, and measures have been concerted accordingly. I may, in conclusion, state that Her Majesty's Government have suggested to the Sultan that it is desirable, under the new aspect of affairs, that the flag of the Sovereign should be displayed in Egyptian waters, and that a Turkish man-of-war should convey a Turkish Commissioner to Egypt. I have laid on the Table of the House Papers up to January 7, and the French Government will be at once consulted as to laying on the Table Papers coming up to the present time.

Sir R. ASSHETON CROSS: I think the House will be glad if we can have more information given us on one or two questions. The first is—what measures Her Majesty's Government intend to take in order, in case of necessity, to exact the due fulfilment of their requirements according to the terms of the Joint Note? Secondly, whether, in their opinion, the critical state of affairs in Egypt will really brook the delay with which a Conference is usually attended? Thirdly, I would ask what measures the Government have taken for the security of life and property of British subjects, and the leading personages of the country who have acted on the advice of the Western Powers? And, fourthly, what is the position of the Viceroy himself, who has certainly acted according to the advice of the Western Powers, and who, but for that advice, would probably not have been in his present position? I trust the Papers will come down further than the 7th of January, because we are told that information is to be given to the French Chambers this afternoon. I would ask, also, whether we can now be told what are the terms of the Joint Representation which has been made by the Government to the Sultan?

Mr. GLADSTONE: The right hon. Gentleman asks me five Questions which I have not in my hand. Perhaps the right hon. Gentleman will give them to me. [Sir R. Assheton Cross did so.] The first question is—What measures have the Government taken in order to exact a due fulfilment of their requirements? My hon. Friend near me (Sir Charles W. Dilke), I think, has told the right hon. Gentleman all we can say on that subject. We have determined that the wisest course is to concert measures together with the Powers of Europe. It will be, of course, our duty—particularly will it be the joint work of England and France, who are most concerned—to take the initiative in the meeting of the Powers; and I do not think it would be right that we should, before a Conference has met, announce here the proposals we should make. I think the right hon. Gentleman will agree in that. The second Question is with respect to delay. Well, we do not believe that any delay will arise. On the contrary, we believe that the course of affairs will be this:—A Conference will be held at Constantinople, and, as far as we know, or can judge, will consist of the Representatives of the Great Powers. They will all be on the spot, and all will be in immediate communication with the Porte and the Sultan. They will be all on the spot from which any measures which will have to be taken by the Sultan will have to proceed. The next Question is, what measures Her Majesty's Government have taken for the security of life and property? Of course, it has been previously stated that that is the main object with which the ships have proceeded to the harbour of Alexandria. If the right hon. Gentleman means whether any measures have been taken in that respect—whether any force has been landed from those ships—that is not the case; and I would venture to give an opinion that, unless in the immediate expectation of danger, which is not very probable, the Admirals will not land forces—inasmuch as the landing of forces might evidently tend to complicate the political situation—unless it might be a necessity for the protection of life and property, in which case it will be done. The next Question is—What is the position of the Viceroy himself? In respect to that, I can only say that a telegram which I have not seen, but which I have heard of, there being no time to make any copies of it—I believe it comes from Sir Edward Malet —[Sir Charles W. Dilke: Yes.]—this telegram intimates that it is probable that Arabi Pasha, who has completely thrown off the mask, will proceed to depose, or pretend to depose, the actual Khedive, and proclaim Halim Pasha in his place. I consider, without the smallest doubt, we are pledged to the present Khedive, to the placing of whom on the Throne we were parties; and who, I am bound to say, so far as we are able at this distance to form a judgment on events which have been proceeding with rapidity, and without an opportunity of full and mature consideration, has, in our judgment, so far as we can form it, been behaving with perfect honour and much courage. As to the terms of the Joint Representation to the Sultan—that is, I presume, with regard to the vessels of war—[Sir R. Assheton Cross: Yes.]—that, I think, would fall within the declaration made by my hon. Friend near me (Sir Charles W. Dilke)—that we are desirous, at the point which matters have now reached, to lay the Papers on the Table; but the right hon. Gentleman will see that we would not be justified, without communication with the French Government, in laying on the Table the terms of a Joint Representation to the Sultan.

Sir R. ASSHETON CROSS: I have one further Question to ask. The Khedive may be in serious danger, and I wish to ask what steps the Government are prepared to take for his security?

Mr. GLADSTONE: I hope the right hon. Gentleman will have the goodness to recollect this—all matters with regard to the internal movements in Egypt which are prospective are necessarily attended with a good deal of uncertainty; but that which has been most constantly pressed upon us is the serious danger which would arise to European life and property in case of European intervention — military intervention. I say a European military intervention, in contradistinction to a Turkish military intervention. The apprehension is very strong on the part of the best informed persons that such an intervention would, in all probability, or very probably, stimulate the popular fanaticism, in Cairo in particular; and, therefore, it is not a step on which we could venture without a great deal of consideration. That being so, Sir, of course we have no means of taking security for the personal safety of the Khedive, excepting on his removal to Alexandria; but I do not think that anything has as yet happened to lead us to believe that his personal danger is a thing that we have mainly, or even seriously, to apprehend, as far as a judgment can be formed on the matter.

Mr. W. H. SMITH: I wish, Sir, to ask one Question. It is stated, I believe, on excellent authority, that earthworks are being thrown up at Alexandria, commanding the entrances to the harbour, so that the ships of war in the harbour would be under the fire of the guns if the earthworks were permitted to be completed? Has the attention of the Admiral been drawn to these earthworks, and do the Government see their way to prevent them from being used in a hostile manner against either French or English ships? I would also ask as to the strength of the Squadron in Egyptian waters, or being sent to Egyptian waters? If I am correctly informed, I understand that the large ironclads cannot enter the harbour of Alexandria. The depth of water is not sufficient for the purpose, and therefore the most powerful ships will have to lie outside. I should, therefore, like to ask what course the Government propose to take in regard to the ships now despatched to Alexandria; and, whether ships will be stationed at Port Said and Suez?

Sir CHARLES W. DILKE: Sir Beauchamp Seymour has no fear whatever with regard to the safety of the Fleet; but he thought it possible that measures might have to be taken for the safety of the European population. It was with a view to the possible measures which might have to be adopted that he asked for more ships, and three more ships were sent from Suda Bay yesterday —the *Monarch,* and two smaller ships. The *Monarch* will probably be got into the harbour, certainly by lightening. Vessels drawing 24 feet of water can get into the harbour, and also through the Canal. I believe that it is probable that similar French vessels will also proceed to Alexandria.

Mr. W. H. SMITH: Is it the intention of Her Majesty's Government to take any notice of the erection of earthworks now being thrown up? I have information on the subject, upon which I can place perfect reliance.

Sir CHARLES W. DILKE: Her Majesty's Government will be disposed to act on any view of the situation that Sir Beauchamp Seymour should take, as we have full confidence in him, and he has not expressed the slightest apprehension on that subject.

Lord CLAUD HAMILTON: I have to ask whether, in view of hostilities arising, Her Majesty's Government have taken any steps to protect the mouths of the Suez Canal, and also any British ships which may be in the Canal?

Sir CHARLES W. DILKE: I dealt with that matter, in the first statement which I made, in general terms. I had forgotten to allude to a Question which my right hon. Friend opposite (Mr. W. H. Smith) put to me, when he asked whether there were ships at the two ends of the Canal? There are two ships, one English and one French, at each end of the Canal. British and French ships have passed through lately, and at present there is one of each at each end.

Sir R. ASSHETON CROSS: The Prime Minister has made two important statements. One is that Arabi Pasha has entirely thrown off the mask; and the second is, that the question of the position of the Khedive is seriously entertained by Her Majesty's Government. I should like to be perfectly assured as to whether the Khedive will be protected, not only in his life and property, but in his position as Khedive?

Mr. GLADSTONE: Yes, Sir; I thought I distinctly conveyed the intention of the Government in that respect, which, in fact, I conceive to be not doubtful at all, but founded upon a very clear duty and engagement. I meant to draw a distinction between the power of giving immediate protection, and the very great danger that might arise from a premature attempt on our part to give it, in a case where, according to the best advice given to us, one of the most probable sources of danger would be a simple European interference. Perhaps I may take this opportunity of taking notice of the Question of the hon. Member (Sir H. Drummond Wolff), who asks me whether there is any truth in the rumour that Indian troops are about to be brought to Suez, with the view of protecting British interests, and asserting the Sovereignty of the Sultan in Egypt? I could not undertake to answer a prospective question as to particular measures to be adopted in a great political contingency of this kind; but, under the circumstances, and as the case as to the Indian troops is peculiar, I may say that no plan of that kind has been adopted, nor is it at present contemplated.

Sir H. DRUMMOND WOLFF: I should like to ask the hon. Baronet whether a Turkish Plenipotentiary is to be invited to attend the Conference; and, if so, whether, according to diplomatic precedence, he will preside?

Sir CHARLES W. DILKE: The question as to who is to preside has not yet been considered. The first step is to agree upon the Conference. The answer from all the Powers has not yet been received. As to the Turkish Plenipotentiary, that was dealt with in my first statement. I said the invitation was to the four other Great Powers and to the Porte.

Baron HENRY DE WORMS: Is it to be understood that no measures will be taken to protect the Khedive until such time as it will be possible for the Turkish troops to arrive in Egypt?

Mr. GLADSTONE: I have never stated that; but I have pointed out that the rendering of immediate protection to the present Khedive is a subject on which it is not possible to give any absolute pledge—first, on account of the distance; secondly, of the danger; and, thirdly, on account of the risk that if he be in personal danger, which we have no positive cause to apprehend, it might be most serious and lead to ruinous consequences by the very fact of its being known that European intervention of that kind was contemplated.

Mr. A. J. BALFOUR: The hon. Baronet tells us the replies of all the Powers have not been received. Will he tell us when the proposal was sent out?

Sir CHARLES W. DILKE: Yesterday.

Mr. ASHMEAD-BARTLETT wished to know whether the policy—or rather the possibility of the policy—which had just been stated by Her Majesty's Government—namely, the summoning of a Conference of the European Powers, was the policy which the hon. Baronet described to the House on the 15th of May. The statement of the hon. Baronet on May 15 was as follows:—

> "That the two Powers (England and France) are now in absolute accord as to the steps to be taken in view of future eventualities,"

and that—

> "The two Governments feel confident that the course agreed upon will meet with the assent of all the other Great Powers and of the Porte."

He asked whether Her Majesty's Government would now clearly state whether or not they intended to ask the Sultan, who was the Sovereign of Egypt, to check, by force of arms if necessary, the revolutionary party in that country, and to restore security for life and property? Her Majesty's Government, having tried thus far to shirk their responsibility under cover of a pretended accord with France — ["Order!"] — now intended to shirk it still further under the cover of a possible Conference of the Powers. ["Order!"]

MR. SPEAKER: The hon. Member is not confining himself to a Question.

MR. ASHMEAD - BARTLETT said, he would ask whether Her Majesty's Government, having endeavoured to carry out a certain policy with regard to Egypt, under the shield of the joint action of England and France, and, having wholly failed, now intended to put off any further dealing with the question until the Conference; and whether, Arabi being now master, they meant to leave the Khedive at his mercy while this problematical Conference was assembling and coming to a decision.

MR. LABOUCHERE: Upon the same point, perhaps, the hon. Baronet will also answer this Question—whether any despatches or communications from our Diplomatic or Consular Agents in the East have been received confirming the statements that have appeared in almost all the newspapers, that the Porte has, directly or indirectly, supported Arabi Pasha in his course of action?

SIR CHARLES W. DILKE: I do not think it would be to the public advantage to reply to the last Question. [MR. LABOUCHERE (ironically): Hear, hear!] I see that the hon. Gentleman is inclined to draw an inference from that reply. It would, therefore, be better for me to say a word on that subject, lest any refusal to reply should be misapprehended. Of course, there have been rumours, and we have consequently received despatches in which the matter has been mentioned; but it must not be inferred that Her Majesty's Government believe the rumours. I wish to give no opinion whatever on that subject at the present time. With regard to the Question of the hon. Member for Eye (Mr. Ashmead-Bartlett), I will answer the first part of it. The last part of it is ancient history, and was partly dealt with by the answers of the Prime Minister. It is ancient history, because the statement made to-night in regard to the proposed Conference disposes of the greater portion of it. With regard to the statements which were made in Parliament as to the "perfect accord" which existed between the Governments of England and France, I may repeat that these statements at the time were perfectly true. Circumstances, however, subsequently occurred, as shown in the Papers about to be laid on the Table, which, although they in no way changed the opinion of Her Majesty's Government, may have had some effect in other quarters. We have received this day, however, from M. de Freycinet the assurance of the concord of views with which we shall enter into the Conference.

MR. ASHMEAD - BARTLETT: Are the Government prepared to invite the Sultan to check the revolutionary party by force of arms at once?

SIR CHARLES W. DILKE: That is the whole question on which the proposed Conference will meet.

MR. M'COAN: Is it known at the Foreign Office that a gentleman, formerly employed in the Diplomatic Service, and who recently figured prominently in connection with Arabi Pasha, is about to proceed to Egypt to head the revolutionary movement; and whether that gentleman will be permitted thus to aid and abet a rebellion against the Khedive?

SIR CHARLES W. DILKE: I have heard that the gentleman who is probably alluded to in the Question did intend to proceed to Egypt, and certainly his supposed intentions there would be of the most regrettable nature, because, although the Government have no control whatever over his movements, still his presence in Egypt at this moment would have a bad effect; but I believe that gentleman has renounced his intention of going to Egypt.

MR. JUSTIN M'CARTHY: Are any steps to be taken for the safety of the European population in Cairo? It is a long distance from Alexandria, and the

Prime Minister's phrase about Arabi Pasha having entirely thrown off the mask would seem to show that there is great danger.

Sir CHARLES W. DILKE: I cannot add anything to what has been said on that point by the Prime Minister. The attempt to send a force on to Cairo would probably cause the very evil we wish to avert. We have no reason to suppose at the present moment that life and property are in danger at Cairo.

Mr. A. J. BALFOUR: Are we to understand that until yesterday there was no machinery in motion at all for enforcing the demands of the Western Powers, except the sending of the Fleets to Alexandria?

Sir CHARLES W. DILKE: When the Papers are presented the hon. Gentleman will see exactly how the matter stands. It is impossible to make a defence of the Government piecemeal. That defence must rest on the Papers that are to be laid on the Table. We are anxious to present the Papers up to this date; but we must have the consent of the French Government to this being done.

Mr. JOSEPH COWEN: May I ask when the Conference is to assemble?

Sir CHARLES W. DILKE: No day has been fixed. The first thing is to obtain the consent of the Powers. In general terms, I may say that it is desirable to hurry matters on as much as possible.

Mr. ASHMEAD-BARTLETT: Are we to understand from the hon. Baronet that the main object of the Conference is to decide about the armed intervention of Turkey in Egypt; and are we to understand from his answer that England and France are not at present in accord on that matter?

Sir CHARLES W. DILKE: No, Sir. The hon. Member must not understand that.

INDIA—LOCAL SELF-GOVERNMENT IN BENGAL.

Mr. BAXTER asked the Secretary of State for India, If he has now received, and will lay upon the Table of the House, the Minute of Sir Ashley Eden on the Extension of Local Self-Government in Bengal; and, if he will communicate to the House, as soon as possible, the nature of the important Resolution more recently passed by the Governor General in Council at Simla on the same subject?

The Marquess of HARTINGTON, in reply, said, that the Paper referred to appeared to be a letter from the Government of Bengal in reply to certain queries addressed by the Government of India, not only to the Government of Bengal, but also to other local governments upon certain questions referred to in the Resolution published. The Government had not received officially either the reply of the Government of Bengal, or of the local governments, nor had they received in an official shape the important Resolution referred to in the latter part of the Question. When the Papers reached them in a complete form there would probably be no objection to lay them on the Table of the House; but the Correspondence did not appear to have been completed; and the information they possessed was incomplete. He would communicate with his right hon. Friend on the subject.

THE PARKS (METROPOLIS)—RICHMOND PARK.

Mr. FRASER MACKINTOSH asked the First Commissioner of Works, Whether permission to allow the Guildford Coach to pass through Richmond Park has been refused; and, if so, on what grounds, seeing that hackney carriages however loaded are permitted?

Mr. SHAW LEFEVRE, in reply, said, that the Park Rules made under the Parks Regulation Act of 1872 prohibited stage coaches, omnibuses, brakes, and wagons from entering the Parks; all other carriages were admitted. Under this rule the Guildford Coach was excluded.

Mr. HEALY inquired why an exception had recently been made in respect to one class of vehicles, and cabs, however heavily laden, had been admitted?

Mr. SHAW LEFEVRE said, that a careful examination of the Rule had convinced the authorities that the prohibition of cabs had hitherto been illegal, and they had accordingly been admitted. The prohibition, however, remained with respect to the other vehicles he had mentioned.

Mr. FRASER MACKINTOSH asked whether the right hon. Gentleman would reconsider the Question?

Mr. SHAW LEFEVRE said, he did not think it desirable that omnibuses and stage coaches should be permitted to enter Richmond Park; and it was not, therefore, in his opinion, advisable to alter the rules.

PEACE PRESERVATION (IRELAND) ACT, 1870—CHANGE OF VENUE.

MR. M'COAN asked Mr. Attorney General for Ireland, If he can state to the House to what extent the power given to the Irish Court of Queen's Bench by the Peace Preservation Act of 1870 to change the venue in the case of indictments found in specially proclaimed counties was exercised, and what was the proportion of convictions in cases so removed as compared with those in which the indictments were tried in the counties where found?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON), in reply, said, that he could not find any any record of this power having been exercised.

PARLIAMENT—ORDER OF BUSINESS.

SIR R. ASSHETON CROSS asked, Would there be a Morning Sitting on Friday; and, if not, would the Prevention of Crime Bill be proceeded with in the evening?

MR. GLADSTONE said, there would be no Morning Sitting, and the Prevention of Crime Bill would have precedence.

PARLIAMENT — PUBLIC BUSINESS — ARREARS OF RENT (IRELAND) BILL.

MR. MACFARLANE wished to ask the Prime Minister, Whether, having regard to the simple character of the Arrears Bill, and the certainty that its postponement would lead to a great number of evictions, he would consider the propriety of taking one or two Saturday Sittings for the purpose of disposing of it?

MR. GLADSTONE: It is hardly open to me to entertain that proposal. I very distinctly announced the course of Public Business, and there has been a general acquiescence in the proposed method of procedure. I am bound to say that I entertain a full confidence that in no quarter of the House will there be any disposition to discuss either of the Irish Bills except in a thoroughly practical manner. The Bill relating to crime, although it embraces a considerable number of points, does not involve any question of great intricacy requiring prolonged discussion. We shall do our best to forward it, in order that the Arrears Bill may be considered as soon as possible. But it is hardly in our option, after the declaration already made, to entertain the proposal.

MR. HEALY wished to ask the Prime Minister, Whether he would consider the advisability of making the Arrears of Rent Bill applicable to tenants whose equity of redemption had expired since the date of the Bill? If the right hon. Gentleman did not make the Bill applicable to those persons, he (Mr. Healy) would move an Amendment to that effect.

MR. GLADSTONE: This is a subject of great difficulty, upon which, at present, I do not see my way.

PARLIAMENT — PUBLIC BUSINESS — PUBLIC SCHOOLS (SCOTLAND) TEACHERS BILL.

SIR GEORGE CAMPBELL: Seeing the hon. Member for Cavan (Mr. Biggar) in his place, I beg to ask him if he would be good enough to take off the block he has placed on a very small Scotch Bill—the Public Schools (Scotland) Teachers Bill—which is a compromise arrived at upon a larger Bill by the general consent of the Scotch Members?

MR. BIGGAR: I shall take off the block on that Bill.

PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—DETENTION OF LETTERS.

MR. HEALY (for Mr. REDMOND) asked Mr. Attorney General for Ireland, Whether it is a fact that letters written by Mr. Abrahams on the 28th of April, the 1st of May, and the 8th of May, were detained by the authorities of Limerick Prison; whether Mr. Eagar, Governor of Limerick Prison, informed him no letter whatever written by Mr. Abrahams had been detained; and, whether prisoners are informed of the objectionable passages in letters that are detained, and are allowed to score out such passages?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): In reply to the first Question of the hon.

Member, Mr. Abraham's letters of those dates were detained by the Governor of Limerick Prison. In reply to the second Question, what occurred was this. The hon. Member for New Ross (Mr. Redmond) asked me on the 19th of May whether the Governor had recently detained several letters written by Mr. Abrahams without informing him of the fact. Having received the following telegram from the Prison Board :—

> "Governor of Limerick Prison telegrams there is no truth in statement regarding Mr. Abraham's letters,"

I replied on this telegram that no letters had been detained, which appeared to me to be the gist of the question, and, therefore, governed by the telegram; but it appears that the meaning of the telegram was, that they had not been detained without informing Mr. Abrahams of the fact. The misapprehension arose from the conciseness of the telegram. To the third Question of the hon. Member the answer is, "Yes."

Mr. HEALY inquired, further, whether a Report of the recent inquiry into Mr. Eagar's conduct would be laid on the Table of the House?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, he was not in a position to answer the Question; but even if the Report were submitted it would serve no practical end, as he ascertained when in Dublin that Limerick Prison was now, or would very shortly be, without any "suspects."

ORDER OF THE DAY.

PREVENTION OF CRIME (IRELAND) BILL.—[Bill 157.]

(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. [*Progress 26th May.*]

[SECOND NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

PART I.

Special Commission.

Clause 1 (Special Commission Court).

Mr. PARNELL said, that in the absence of the hon. Member for Dungarvan (Mr. O'Donnell), he would move the Amendment which stood in his name—namely, in page 1, line 12, after "Lieutenant," insert—

> "And Chief Secretary to the Lord Lieutenant conjointly, on sworn information to be communicated to Parliament without delay."

He wished to point out to the Committee that it was most desirable, while they had every confidence in the Lord Lieutenant personally, that his extreme responsibility under this Bill should be shared by the Chief Secretary. The Lord Lieutenant was not, so to speak, responsible to Parliament. Certainly he was not responsible to the House of Commons. He was not in his place in the House of Commons from day to day, in the same way that the Chief Secretary was; and, as far as he (Mr. Parnell) could see, it was not possible for the Lord Lieutenant to attend in his place in the other House, so that, practically speaking, the action of the Lord Lieutenant would not be subjected to Parliamentary control, in the ordinary sense of having questions directly addressed to him. Under those circumstances, he (Mr. Parnell) felt he was entitled to ask that this very grave responsibility should be shared by the Chief Secretary, and that the right hon. Gentleman who filled the present post and who was in his place in the House of Commons from day to day should be taken into the counsel of the Lord Lieutenant when these Commissions were issued. He (Mr. Parnell), therefore, begged to move the Amendment which stood in the name of the hon. Member for Dungarvan (Mr. O'Donnell).

Amendment proposed,

> In page 1, line 12, after the word "Lieutenant," to insert the words "and Chief Secretary to the Lord Lieutenant conjointly, on sworn information to be communicated to Parliament without delay."—(*Mr. Parnell.*)

Question proposed, "That those words be there inserted."

Sir WILLIAM HARCOURT said, that the Lord Lieutenant was intrusted with the power of issuing Commissions for the appointment of Special Commissioners as the Representative of the Crown, and nobody could be joined with him. In England it was the duty of the Crown to order such Commissions to be issued, and it was now proposed in Ireland that the Lord Lieutenant should order the Commissions to be issued, as the direct Representative of the Sovereign. In regard to what the hon. Member said as to the responsibility of the Lord Lieutenant, that responsibility would certainly not be increased by adding to him an officer who was really subordinate to him, but who, in the House of Commons, was the organ and Representative of the policy of the Irish Government. He wished to point out to the hon. Member and to the Committee that, not merely was the Chief Secretary responsible for every act done by the Lord Lieutenant in this matter, but that the whole Government was responsible. Every Member of the Government was equally responsible with the Lord Lieutenant himself. When it was suggested that the Judges should be joined to the Lord Lieutenant in the exercise of the powers conferred by this clause, he had pointed out that their responsibility would be much less than that of the Lord Lieutenant, and the same observation applied to the present proposal. Nor was this principle confined to Irish questions. Take what had already occurred that afternoon in reference to the affairs of Egypt. The Government, as a whole, were responsible for the Foreign Policy of the country, and it was not a matter of the slightest consequence that the Foreign Secretary was not a Member of the House of Commons. If anything went wrong in connection with the Foreign Policy of the country the House of Commons would hold the Government responsible and would have no hesitation in censuring them. The responsibility of the Government was precisely the same in reference to Irish affairs. The Prime Minister and all the Members of the Cabinet were responsible for the action of the Lord Lieutenant, and if the Honse of Commons were dissatisfied with the policy of the Lord Lieutenant, they had the right to declare their views by Resolution. The most complete Parliamentary responsibility existed at the present moment, and it would not be increased by adding the Chief Secretary to the Lord Lieutenant in reference to the issue of these Commissions. The responsibility was, in reality, vested in the Ministers of the Crown, of whom the Lord Lieutenant was only one.

MR. HEALY remarked that the right hon. and learned Gentleman the Home Secretary had only dealt with one of the points raised by the Amendment. The Amendment proposed to associate with the Lord Lieutenant—

> "The Chief Secretary to the Lord Lieutenant conjointly, on sworn information to be communicated to Parliament without delay."

The right hon. and learned Gentleman objected to the Chief Secretary being associated with the Lord Lieutenant, conjointly, in the issue of the Commission, on the ground that instead of increasing it would diminish the responsibility of the Lord Lieutenant. There was no wish to impair the authority of the Lord Lieutenant; but he thought it was most desirable that the Committee should have some knowledge of the reasons under which the Lord Lieutenant acted. It was also desirable the Lord Lieutenant should only act upon sworn information. That was the second point raised by the Amendment, and the third was that the sworn information upon which the Lord Lieutenant acted should be submitted to Parliament. The right hon. and learned Gentleman had only taken one of these points; but it was of the utmost importance, if the Lord Lieutenant was to act alone, that he should only act upon distinct and sworn information. He presumed there would be no objection on the part of the Government to accept that part of the Amendment. Then came the question of submitting the sworn information to Parliament. Last year the Irish Members had a severe struggle with the Government as to the rules of the prisons, and the necessity of communicating to Parliament the number of the prisoners arrested and the charges made against them; and by bringing pressure to bear upon the Government, after a refusal on their part at first, they induced the Government to give way and concede the point. Whatever force there might be in the view expressed by the Home Secretary that the association of the Chief Secretary with the Lord Lieutenant would impair the Viceroy's authority, no such consequence could result from requiring the Lord Lieutenant to act only on sworn information, and to communicate such information to Parliament. It would even be of advantage to the Lord Lieutenant if, in addition to acting upon sworn information, he could show that the sworn information was sufficiently strong to justify him in acting upon it. Sworn information would be less likely to lead to careless information. He trusted that the right hon. and learned Gentleman would reconsider his refusal to accept the Amendment as a whole.

SIR WILLIAM HARCOURT said, he had dwelt upon the only point which had been pressed by the hon. Member for the City of Cork (Mr. Parnell). It was sufficient at present, he thought, to point out that if he had been prepared to accept the Amendment, this was not the proper place to insert it. The first part of the clause down to the end of line 16 simply authorized the Lord Lieutenant to direct a Commission to be issued for the appointment of Special Commissioners, and the question whether the Special Commission was to be called upon to act in any particular district did not arise until the Committee reached lines 24 and 25. It would not be brought into action until it appeared to the Lord Lieutenant that, in the case of any person committed for trial for any of the said offences, a just and impartial trial couldbe had. According to the ordinary course of law, the Lord Lieutenant might by warrant assign to any such Court of Special Commissioners the duty of sitting at the place named in the warrant, &c. The operative part of the clause, therefore, only commenced with line 24; and, therefore, any Amendment of the kind now proposed would be introduced more fitly when that part of the clause was reached.

MR. JOSEPH COWEN said, it had already been suggested that the responsibility intrusted to the Lord Lieutenant by the clause should be shared either by the Judges or by the Privy Council; but the Home Secretary refused to accept either of those proposals, and it was now proposed by the Amendment moved by the hon. Member for the City of Cork (Mr. Parnell) that the responsibility should be shared by the Chief Secretary. He thought hon. Members who supported the Amendment would be quite content if the Government would consent to share the responsibility with someone. The object of the Amendment was to provide that any person who had to complain of the action of this exceptional measure in the House of Commons should have someone with whom to lodge his complaints—someone who should be responsible for the operation of the Act—and it was a matter of indifference whether the person who was made responsible conjointly with the Lord Lieutenant was the Home Secretary or the Chief Secretary, so long as it was someone who would be directly responsible in the House of Commons. As the clause stood now, it was the Lord Lieutenant alone; and the Lord Lieutenant was, to a large extent, a myth as far as the House of Commons was concerned. If the right hon. and learned Gentleman the Home Secretary would suggest some other Minister being a Member of that House, he did not think the hon. Member for the City of Cork would feel inclined to insist upon his Amendment. All they wanted was that there should be someone to whom these exceptional powers were intrusted to whom they could make a direct appeal.

MR. MARUM said, he could not see what objection could be entertained to associating the Lord Lieutenant with the Privy Council, or some of the Judges of the High Court of Judicature. It was not at all reasonable that they should require the Lord Lieutenant to act upon his own responsibility without consulting with anybody; and the only object his hon. Friend the Member for the City of Cork (Mr. Parnell) had in view in wishing to associate the Chief Secretary with the Lord Lieutenant was to save the Lord Lieutenant from the responsibility of acting upon his own sole authority. This part of the clause related to the issue of the Commission in the first instance, and he certainly thought it was a matter for serious consideration whether the Government ought not to associate with the Lord Lieutenant some responsible person—either the Privy Council, or a Judge, or some person of that kind. The objection raised to the clause as it stood was not a mere technical objection, but a very substantial one.

MR. HEALY said, the Home Secretary had stated that this part of the clause simply meant that the Lord Lieutenant might appoint a Special Commission, and that the Amendment would not come in until the second part of the clause was reached.

SIR WILLIAM HARCOURT said, that, of course, under this part of the clause a Commission would be issued for the appointment of a Court of Special

Commissioners; but the Commissioners would do nothing until line 25 was reached, by which the particular form of trial was sanctioned. Or, in other words, although three Judges might be appointed to act as a Commission, with certain forms, the Commission itself could no nothing in the particular district in which the crime took place until the Lord Lieutenant had arrived at the opinion that an ordinary jury trial was inadequate. It was only when the Lord Lieutenant decided that the ordinary law was insufficient to meet the justice of the case that the Commission would act. It would not be at all necessary to assign to the Special Commission any of the ordinary jury cases in which no failure of justice was anticipated. The Commission would exist; but the particular circumstances which would entitle it to act would not arise until the Committee came to lines 24 and 25. Without those words it would be, in point of fact, an inoperative Commission, and it could only be made operative by some such provision as that contained in lines 24 and 25.

MR. HEALY must say, with all respect for the right hon. and learned Gentleman, that there were operative words in the clause before lines 24 and 25 were reached. Line 15 spoke of persons "charged with any of the following offences;" and the first part of the clause gave power to the Lord Lieutenant to commit any such persons—for instance, a band of "Moonlighters"—for trial in the manner provided by the Act —namely, by the Special Commission. By the first four lines of the clause the Lord Lieutenant obtained power to appoint the Commission, and to send persons charged with particular offences for trial by the Special Commission, without the intervention of a jury. He wished to know from the Irish Law Officers of the Crown whether it was the fact that the Lord Lieutenant at the present moment had no power to issue a Special Commission with a jury? If not, by the adoption of the first four lines of the clause, the Lord Lieutenant would have the power of issuing Special Commissions with juries, quite independent of the latter part of the clause. There was an Amendment on the Paper already which proposed, in line 15, to leave out the words "charged with," and substitute the words "committed for trial for." The effect of that Amendment would be to provide that the only persons who could be tried by the Special Commission were persons who must have been regularly put upon their trial.

SIR WILLIAM HARCOURT intimated that he intended, at the proper time, to accept an Amendment to that effect.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, the Lord Lieutenant was empowered at the present moment to issue a Special Commission to any part of Ireland for the purpose of trying criminal offences; but such Commissions were of a very different character from those which the Lord Lieutenant would be authorized to appoint under this Bill. The first part of the section under discussion created a Court of Commission and mentioned the jurisdiction of the Court; and when business arose it would, under the warrant of the Lord Lieutenant, be sent to the Court, which would only have jurisdiction to entertain the cases which might be sent up to it. But the Court constituted under the clause must try without a jury, and the Lord Lieutenant was not empowered under the clause to direct it to try any case with a jury. There were ordinary Commissions of Assize twice a-year, and it was within the power of the Lord Lieutenant to issue Special Commissions of a similar character for the trial of ordinary offences with a jury, at any place he might direct, and at any time. But with regard to the limited class of offences specified in the present Bill, there was only a limited jurisdiction given to the Lord Lieutenant to send to the Special Commission Court under this Bill those cases only which came under the description contained in the clause, and all such cases must be tried by the Special Commission without a jury. When they came to the Amendment of the hon. Member for the City of Waterford (Mr. Leamy), the Government intended to accept the hon. Member's proposal, in line 15, to leave out "charged with," and insert instead "committed for trial for."

MR. PARNELL remarked, that the first two lines of the clause placed the power of issuing Commissions in the hands of the Lord Lieutenant solely; and all he asked the Government was that they should allow the very important responsibility imposed by the clause to be shared by some other person, who should be a Member of the House of Commons. He could well understand that a great deal of the popular estimation in which the Commission was held would depend very much upon its composition; and he did not think, therefore, that it was too much to ask the Government to agree that this very important responsibility should be shared by a Commoner. He had no wish in the slightest degree to detract from Lord Spencer's capability and fairness of mind; but he submitted that a power of this kind, which left one man, and that man not a Member of the House of Commons, with the power of selecting juries of Judges for the trial of persons for offences in reference to which death sentences were involved, it was not an unfair request to make to the Government that the responsibility should be shared by the Chief Secretary. Of course, the right hon. and learned Gentleman the Home Secretary would say that the Lord Lieutenant was responsible to Parliament. Undoubtedly, he was responsible to Parliament, but in such a way as to render his responsibility useless, so far as any power existed in the House of Commons of checking any cases which might occur under the Bill. He hoped the right hon. and learned Gentleman would reconsider his decision, and would not refuse the request which had been made to him.

Mr. T. D. SULLIVAN said, it was all very well in that House to talk of the responsibility of the Lord Lieutenant; but to Irish Members, and to the Irish people, those words were simply a phrase without any meaning whatsoever. The Lord Lieutenant, in this, as in other cases, had to act upon the information of various persons. He had to see with the eyes and hear with the ears of other people, and it was not an unreasonable request that the Committee should ask the Lord Lieutenant to enable the House of Commons to pass judgment upon the information on which His Excellency was acting. The Government attempted to put them off with the story that the Lord Lieutenant was responsible. They took that assertion at its true value; they knew from long experience that it was of no value at all.

Mr. T. C. THOMPSON said, the object of the clause was to make as public as possible the causes for which the Special Commission was to be issued. But the Lord Lieutenant being a Member of the Cabinet, a Member of the other House, and intrusted with the Executive duties of the Government in Ireland, there would be great difficulty in getting from him the causes which had led to the issue of a Special Commission. The Chief Secretary was in a very different position. He was always present in that House; he was not a Member of the Cabinet, and it would be possible to appeal to him and to receive an immediate answer. If his hon. Friend the Member for the City of Cork (Mr. Parnell) pressed the Amendment, he (Mr. Thompson) should certainly vote with him.

Mr. GRAY remarked, that the objection which had been raised by the right hon. and learned Gentleman the Home Secretary struck him as being rather a technical one. If a Special Commission were issued in England it would be issued in the name of the Crown, and in Ireland it would be issued in the name of Her Majesty's Representative. If the Amendment were put in the precise words in which it stood, the responsibility would be shared by the Chief Secretary; but if it were modified, so as to say that the Lord Lieutenant was acting with, or by the advice of, the Chief Secretary, the purely technical point on which the objection of the right hon. and learned Gentleman was based would be avoided, and the responsibility would still be shared by a Member of Her Majesty's Government, who would be able to answer, in his place in the House of Commons, which was the real point aimed at in the Amendment. It was certainly desirable that there should be some person in that House who would be responsible for the issue of any Commission, and be able to explain the reasons why it had been issued. He hoped the Government would give way, and that they would consent to share the responsibility in some way.

Sir WILLIAM HARCOURT remarked, that the technical portion of the objection might easily be got over; but the hon. Member for the City of Cork (Mr. Parnell) raised by his Amendment an objection to the principle of the clause. The principle of the clause was that the Lord Lieutenant should be responsible for the issue of all Special Commissions; but the principle of the Amendment was that the Chief Secretary, or some other person, should divide the responsibility with the Lord Lieutenant. It was the principle of the Amendment which he found himself impossible to accept. He certainly thought that, in a matter of this extraordinary and difficult character, a double responsibility, above all things, should be avoided. There must be one person, who should be solely responsible in cases of this kind. Suppose two persons were made responsible, and a difference of opinion arose between them, who was to prevail? Take a case in which the Lord Lieutenant was of opinion that a Special Commission should issue, and the Chief Secretary thought that it should not. In such a case, who was to prevail? [Mr. HEALY: The law.] In a difference of that nature it was totally impossible that both could prevail; and, therefore, the principle of a divided responsibility could not be entertained at all. The hon. Member said it would be impossible to call anyone to account for what was done unless the responsibility were shared with a Member of the Government, who had a seat in the House of Commons. It occurred to him (Sir William Harcourt) that the Chief Secretary was, and always had been, sufficiently called to account in that House for all the actions of the Executive Government in Ireland. The Chief Secretary was subordinate to the Lord Lieutenant; but hon. Members experienced no difficulty in asking him to defend, and in calling him to account for, the acts of the Irish Executive, and acts over which it was impossible that at present he could exercise any vetoing power. He was, nevertheless, freely called to account, and hon. Members would continue to call him to account, for the manner in which the powers conferred by the present Bill were exercised. The fact that the Lord Lieutenant did not possess a seat in the House of Commons had nothing whatever to do with the matter. It afforded no more ground for objection than the fact that the Foreign Secretary had no seat in the House of Commons. Nobody ever thought of raising an objection that the House of Commons had no control over the Foreign Affairs of the country, because the Foreign Secretary did not possess a seat in that House. If the House disproved of the Foreign Policy of the Foreign Secretary, they at once proposed a Vote of Censure upon the Government of which the Foreign Secretary was a Member; and the Government, who were responsible for every act of the Foreign Minister, were just as much responsible for every act of the Lord Lieutenant. Of course, the Chief Secretary would always be able in the House of Commons to answer any Question as to what might be done, and to give any justification which the Lord Lieutenant desired to give for his acts. In the last resort, the responsibility for the acts of the Lord Lieutenant was the undivided responsibility of the Ministers of the Crown.

MR. LABOUCHERE said, the argument of the right hon. and learned Gentleman the Home Secretary was this—that it possibly might occur that the Lord Lieutenant would be in favour of the issue of a Special Commission, whereas the Chief Secretary might not be in favour of it. If that was the case, and there was likely to be any difference of opinion as to the propriety of exercising the exceptional powers conferred by the Bill, the Government could scarcely desire that the Lord Lieutenant should put them in force. It was not too much to ask, when such great and extraordinary powers were to be conferred, that the two Gentlemen who, whether technically or not, were practically responsible for the Government of Ireland—namely, the Lord Lieutenant and the Chief Secretary, should be at least united in thinking that a Special Commission ought to issue in any particular case.

MR. W. M. TORRENS said, he thought that any exceptional powers of this nature had always been exercised in Ireland under the direction of the Lord Lieutenant in Council. The Privy Council in Ireland was a National Institution possessing legal knowledge. It was a Consultative Council comprising Lords Lieutenants of counties and many other eminent persons intimately acquainted with the habits, occupation, and feelings of the community; and capable therefore of giving the prompt and practical advice which new occasions might require. In his view, it was not at all a test of the goodness or badness of the direction of this clause as to how it should be carried into execution. What was far more important in his mind, was that it should be wisely, and discreetly, and deliberately exercised by the person in chief authority, and it was usually the case that an Irish Viceroy had a Consultative Local Council. He had himself seen a man in that Office, who he had concurred with a multitude of people in thinking very unsuited for it; and if any future Viceroy were similarly unsuitable, there was all the more reason why he should have the benefit, before he committed any grave mistake even in the ordinary performance of his duty, of the consultative advice of those most acquainted with the local affairs of the country. What objection, then, could there be on the part of Her Majesty's Government to insert in the clause the words, "by and with the advice of the Privy Council of Ireland?" Perhaps some hon. Members might recollect what was once said by a great functionary in Ireland, in times that were not very dissimilar to those which existed at present. When the Viceroy asked in the Council what was the best thing to be done under the extraordinary circumstances which prevailed, and the newly-imported English Chancellor suggested that they should call out the *posse comitatus*, the Chief Baron, with a sardonic smile, observed—"When you have been a little longer in the country you will know that our great difficulty is to keep the *posse comitatus* at home." He (Mr. Torrens) thought they ought be prepared to cultivate and countenance whatever confidence still remained in that unhappy country; and, instead of carrying out these great and exceptional powers upon the mere *ipse dixit* of the Viceroy, they should provide that nothing should be done without the advice of men of reputation, rank, and property in Ireland. He was surprised to hear the right hon. and learned Gentleman the Home Secretary say that an analogous case in England was the issue of a Special Commission by the Queen. The Queen was never supposed to do any act except through her Ministers. The Ministers acted responsibly to Parliament, and when any special act was done the House of Commons were made acquainted with the reasons why it was done. If any questionable act were committed in this country, the House of Commons looked to the Home Secretary for an explanation, held him accountable, and made his life miserable until he had afforded full satisfaction. They were now engaged in establishing a new Court in Ireland for the trial of offences, which was unprecedented in law, and unprecedented in the Constitution of the country; and in such a state of circumstances the consultative advice of the Council, by and with whose consent the Lord Lieutenant would act, would be of the greatest service to the administration of Ireland.

The CHAIRMAN wished to point out, before the discussion proceeded further, that the hon. Member for Finsbury (Mr. Torrens) had been speaking to an Amendment which was not before the Committee. The Amendment was not that the Privy Council, but that the Chief Secretary should be conjoined with the Lord Lieutenant in issuing Special Commissions.

MR. MARUM said, he wished to call attention to the 20th section of the Bill, which said that—

> "The Lord Lieutenant, by and with the advice of the Privy Council in Ireland, may from time to time, when it appears to him necessary for the prevention of crime and outrage, by proclamation declare the provisions of this Act which relate to proclaimed districts or any of those provisions to be in force within any specified part of Ireland as from the date of the proclamation, or any later date specified in the proclamation; and the provisions of this Act which are mentioned in the proclamation shall after the said date be in force within such specified part of Ireland, and that part of Ireland shall be a proclaimed district within the meaning of the provisions so mentioned. The proclamation shall provide for the manner of the promulgation thereof."

He quoted this section in order to show that any objection as to a possible collision between the Lord Lieutenant and any other person who might be associated with him, was just as likely to occur under the provisions of the 20th section, which associated the Lord Lieutenant with the Privy Council, as under any part of the Bill. He, certainly, did not see why the same kind of thing should not be done in reference to the origination of the Commission. The 20th section related to the proclamation of districts, which proclamation would bring into operation the other portion of the Act with regard to strangers and aliens being out of their homes within the Curfew hours. In that case, the sole power was not given to the Lord Lieutenant; but he was required to act by and with the advice of the Privy Council. The framers of the Act, therefore, plainly showed that it was inconsistent, but reasonable, that the Privy Council should be associated with the Lord Lieutenant in reference to the proclamation of districts; and he did not see on what principle they could allow the Privy Council to divide the authority of the Lord Lieutenant in one case, and deny it to them in reference to the constitution of the Court.

Mr. HEALY remarked, that the Home Secretary, when he last addressed the Committee, appeared to be dealing with one particular Lord Lieutenant and one particular Chief Secretary, and the right hon. and learned Gentleman spoke of the Chief Secretary as being subordinate to the Lord Lieutenant. That was not the actual fact. The Chief Secretary was not subordinate, and it must be borne in mind that in this Bill they were not dealing with the particular right hon. Gentleman who happened at present to hold the Office of Chief Secretary, or with His Excellency Lord Spencer, but with the Chief Secretary and Lord Lieutenant responsible now and to come. The present Lord Lieutenant might retain, and the present Chief Secretary might be promoted to a seat in the Cabinet, in which case he could not be at all described as subordinate to the Lord Lieutenant. They all knew that the Lord Lieutenant spent most of his time in Ireland. The person they had to deal with was the right hon. Gentleman who happened to sit on the Treasury Bench as Chief Secretary. He had no wish to be disrespectful to the right hon. Member for Bradford (Mr. W. E. Forster); but it was well known that that right hon. Gentleman, when he held the Office of Chief Secretary, had a seat in the Cabinet, while Lord Cowper, who was the Lord Lieutenant, was not a Cabinet Minister. The consequence was that Lord Cowper was always described as a Deputy Lord Lieutenant, and a cypher. He wished to point out that a day might come when the Lord Lieutenant might resign, and the present holder of the Office of Chief Secretary might become a Cabinet Minister, which he thought would be a very desirable thing. Then they would be placed in this dilemma, that the Lord Lieutenant would have the sole and undivided responsibility, and a Cabinet Minister would be looked upon as being subordinate to him, although he (Mr. Healy) respectfully submitted that that never could be the case. The Chairman had ruled that it would be out of Order, in the discussion raised upon the present Amendment, to introduce the question of the Privy Council. He quite agreed that it would not be in Order to raise that question upon the present Amendment; but he thought they ought to be permitted to illustrate their argument by referring to it, in order to show the desirability of associating somebody with the Lord Lieutenant. If all reference to it were excluded from the present discussion, the only effect would be that when the present Amendment was disposed of, another Amendment would be moved, directly raising that point. He trusted he would be permitted to say that the reason why the Privy Council were introduced in the 20th clause, and not in the 1st, was that the Privy Council consisted almost entirely of Judges; and they had already strongly protested against the provisions of the Bill referring to the constitution of the Court and abolishing trial by jury. Therefore, it was not proposed to associate the Judges with the Lord Lieutenant in regard to the constitution of the Court; but he hoped the hon. Member for Finsbury (Mr. Torrens) would insist upon his views being embodied in the Bill.

Sir WILLIAM HARCOURT said, the hon. Member for Wexford (Mr. Healy) had referred to the use of the word "subordinate" as applied to the Chief Secretary. It was certainly not a proper phrase to use. A better phrase would be that the Chief Secretary was the Parliamentary Representative of the Lord Lieutenant. That was a much more correct phrase than any which contained the word "subordinate." He would not enter into the other comments of the hon. Member, especially in regard to the proposal of his hon. Friend behind him (Mr. Torrens) as to the association of the Privy Council with the Lord Lieutenant in the proclamation of districts. All he could say was that if the argument addressed to the Committee was well founded, the introduction of the Privy Council into the matter would totally defeat the object of the clause.

Mr. T. P. O'CONNOR said, that in the previous discussion the right hon.

and learned Gentleman the Home Secretary spoke of the Chief Secretary as the subordinate of the Lord Lieutenant. The right hon. and learned Gentleman now said that the Chief Secretary was the Parliamentary Representative of the Lord Lieutenant, and it was because the right hon. Gentleman was the Parliamentary Representative of the Lord Lieutenant that the Irish Members wanted to have him present in the House of Commons to defend the policy for which he himself was responsible. As the matter stood at present, they had a man initiating a policy without being subject to any discussion of that policy in the House of Commons. If the Chief Secretary were associated with the Lord Lieutenant he would have to defend the policy of the Executive Government in Ireland, and the House of Commons would be afforded a proper opportunity of discussing it.

Mr. FIRTH pointed out that the important part of the clause was contained in the end of it, which provided that the Lord Lieutenant might by warrant assign to the Special Commission Court the duty of sitting, hearing, and determining, according to law, a charge made against any person committed for trial and named in the warrant. The mere issue of the writ for the appointment of the Special Commission was a formal matter; but when they came to the second part of the clause, which declared that whenever it appeared to the Lord Lieutenant that in the case of a person committed for trial for any of the offences enumerated, a just and impartial trial could not be had according to the ordinary course of law, a Special Court was to be appointed, then the clause became much more important; and when they reached that part of the Bill he proposed to move an Amendment.

Mr. LEAMY observed that, in a time of great excitement in Ireland, if the Government were of opinion that treasonable practices were being resorted to, and they were anxious to put them down, the Lord Lieutenant might appoint a Commission of Judges favourable to the views of the Government, and whose opinions would be well known to be in opposition to the agitation that was taking place. If the writ was merely issued to the Court, and the election of Judges was left to the Court itself, there would be far less objection than to the proposal now made to give the entire power and responsibility to the Lord Lieutenant.

Sir GEORGE CAMPBELL said, he thought the discussion was rather one of words than of substance. It was clear that the Chief Secretary for Ireland, whoever he was, could not hold Office for a day without approving the policy which he had to carry out. He would be altogether wanting in self-respect if, not approving of an act of this kind, he still continued to hold Office. It might, therefore, be fairly considered that the Chief Secretary must necessarily be responsible for every act done by the Government.

Mr. P. MARTIN remarked that, if it were a mere matter of phrase, he did not see why the Government should not give way. One of the most devoted of their own supporters had suggested that it was a mere contest about words; and if that were really the case, the right hon. and learned Gentleman the Secretary of State for the Home Department was very ill-advised in persisting in his opposition to the Amendment. What did the Amendment amount to? It was simply that the Chief Secretary should be associated with the Lord Lieutenant and responsible to Parliament for the propriety of the creation, from time to time, of these Special Commissioners Courts. The Chief Secretary must necessarily be a Member of that House, and thus an additional control and safeguard would be conferred. What disadvantage was there in yielding to the Amendment? There was scarcely likely to be any disagreement between the Chief Secretary and the Lord Lieutenant. Did the Government distrust the Chief Secretary? Was the only person they could repose any confidence in in Ireland at present the Lord Lieutenant? Was the Bill based upon this, that the sole and arbitrary power of carrying out the provisions of the Act was to be vested in the Lord Lieutenant? They had already shown, by the way they had drawn the Bill, that they placed no confidence in the force of public opinion in Ireland or in their own judgment; and now they were showing that they had very little confidence indeed in their own Chief Secretary. He appealed to them not to prolong the discussion upon the Bill about a matter which was conceded by speakers in favour of the Government themselves to be a mere technical matter and one of form only.

Mr. GIBSON said, the Lord Lieutenant in Ireland was the head of the Irish Executive and a Member of the Cabinet. If he, in the discharge of his Executive duties as Lord Lieutenant, directed a Commission to issue, not only was the Chief Secretary bound to defend him, but every man on the Treasury Bench was equally bound to defend him. The effect of the Amendment would be to weaken the responsibility of the Lord Lieutenant, and not to increase it; and he thought the House would be in a better position to criticize the action of the Government under the Bill as it stood than it would be if the Amendment were adopted.

Mr. HEALY said, the argument of the right hon. and learned Member for the University of Dublin (Mr. Gibson) was entirely based upon the fact that the Lord Lieutenant was Lord Spencer. [Mr. Gibson: No.] The right hon. and learned Gentleman certainly said that the Lord Lieutenant was a Member of the Cabinet. But this Bill was to extend over a period of three years, and if Lord Spencer resigned, the next Lord Lieutenant might not be a Member of the Cabinet.

Mr. GIBSON: The Lord Lieutenant is always at the head of the Irish Executive.

Mr. HEALY said, that was not the point raised by the right hon. and learned Gentleman; but he had distinctly stated that the Lord Lieutenant was a Member of the Cabinet. No doubt that was so at present, but it might not be the case throughout the whole three years that it was proposed the Bill should last. The remarks of the right hon. and learned Gentleman, and the observations of many Members who had supported the view of the Government, were based upon the fact that the Lord Lieutenant was the Right Hon. John Poyntz Spencer, and nobody else. If it was necessary that the Lord Lieutenant should be a Member of the Cabinet, then let the Government confine the clause to Lord Spencer.

Lord EDMOND FITZMAURICE said, it struck him that the discussion was really one on the difference "'twixt tweedledum and tweedledee." The object of the Amendment was one with which every man must naturally sympathize—namely, that there should be the utmost publicity in regard to the exercise of the important functions conferred by the Bill on the Lord Lieutenant. That was an object in which, speaking for himself, he should entirely concur; but what he asked himself was whether, supposing that the Amendment were carried, there would really be any difference in the law. He had listened attentively to the discussion, and having heard the views of the various high authorities who had addressed the Committee, he failed to see that by adopting the Amendment they would, in reality, be altering anything. An hon. Friend behind him took an independent line in regard to Irish questions, and drew a distinction between a Minister who was in the Cabinet and a Minister who was not. Now, that was a distinction which was not known to the Constitution. The House of Commons knew nothing whatever about a Cabinet, and when a Minister went down to the House to represent a particular Department, whether he was in the Cabinet or not, whether he was a Secretary of State or an Under Secretary of State, he was just as much responsible to Parliament in either position. But in this case there was a special reason for not adopting the Amendment. His right hon. Friend the Member for the Border Burghs (Mr. Trevelyan) was not the Chief Secretary for Ireland, but merely the Chief Secretary to the Lord Lieutenant. He was the *alter ego* of the Lord Lieutenant, and to all intents and purposes he was the same person as the Lord Lieutenant. Were they then obtaining anything by pressing the Amendment upon the acceptance of the Government? It became a mere question of form, and there was no doubt whatever that upon the question of form the Government were perfectly in the right in rejecting the Amendment.

Mr. CALLAN said, he remembered the discussion that took place last Session on the proposal to associate the Privy Council with the Lord Lieutenant, and upon the necessity of having sworn information upon which to justify in Parliament the action of the Lord Lieutenant. He would refer the Committee to the celebrated letter of Lord Clarendon when the Habeas Corpus Act was suspended in 1848. In that letter, Lord

Clarendon stated that he never kept a man in confinement under that Act without having sworn information to justify him. The Act was administered stringently, but it left no bitter memories behind. Last year they allowed the Lord Lieutenant, on his own authority, to arrest a man on reasonable suspicion, and without a sworn information, and as long as they lived bitter memories of the administration and of the unfair operation of that Act would remain behind. How was it that the Act of 1881 had left so many and such bitter memories when the Act of 1848 had left no evil memories whatever? It was because in 1848 arbitrary power to act was not conferred upon the Lord Lieutenant; but he was unable to act except upon sworn information. He would venture to suggest, as an Amendment to the proposed Amendment, that they should leave out the first word "and," and insert

> "By and with the advice of the Chief Secretary to the Lord Lieutenant on sworn information, to be communicated to Parliament from time to time as the Act may direct."

It was not, as the noble Lord opposite (Lord Edmond Fitzmaurice) asserted, a question "'twixt tweedledum and tweedledee," but a matter of safeguard. It should be remembered that they were doing away with the Constitution of Ireland; and if the Chief Secretary was the *alter ego* of the Lord Lieutenant, they were not asking for any extreme measure, but for a very mild amendment of the clause indeed. As to the proposal to leave the matter to the Privy Council, he thought it would be absurd to give to the Privy Council—which consisted mainly of Judges—the power of ordering a Special Commission to issue. In point of fact, as the trials went on, there would be no Privy Council and no Judge left who could be sent out upon a Commission. He intended to propose, in another part of the Bill, to take away from the Lord Lieutenant the power of selecting the Judges, and to give it to the three courageous Judges, the three Barons of the Exchequer, who had so energetically protested against the proposals of Her Majesty's Government.

Mr. T. D. SULLIVAN remarked, that the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) said he did not understand the fears which had been expressed. But the Irish Members understood them very well, and they desired to place whatever check they possibly could upon the despotism of the Lord Lieutenant. The Lord Lieutenant would be able, if the Bill passed in its present shape, to send out, of his own sweet will, a Hanging Commission, which would sweep over the length and breadth of Ireland, or whatever part of Ireland he chose to select as the sphere of operations of the new tribunal. It was not unreasonable, therefore, to require that an individual, armed with such exceptional powers, should inform the House of Commons on what evidence or sworn information he was acting. The power was not only a new one, but a very serious and a very important one; and he thought they were raising an intelligible issue when they sought to impose this check upon the action of the Lord Lieutenant of Ireland.

Question put.

The Committee *divided:*—Ayes 28; Noes 162: Majority 134.—(Div. List, No. 102.)

The CHAIRMAN: The next Amendment is one which stands in the name of the hon. Member for Wexford (Mr. Healy), who proposes to limit the operation of the clause to certain "counties named in the Schedule." Now, there is no such Schedule proposed to be inserted. It is, therefore, incompetent for the hon. Member to move the Amendment, as it is incomplete, and it cannot be put. The next Amendment, which stands in the name of the hon. Member for Sligo (Mr. Sexton), is complete in itself, and can be proposed.

Mr. HEALY said, he wished to explain, upon the point of Order, that there were certain districts in Ireland, in the Province of Ulster, which were considered to be exceptionally free from crimes of an agrarian character; and he had placed the Amendment on the Paper with the view of inducing the Government to state what limit they intended to place upon the area to which the Bill would apply. He presumed that there would be a Schedule.

The CHAIRMAN: The question was considered last year, and an Amendment in the same sense was ruled to be incomplete.

Mr. HEALY said, he would not press the point; but in the absence of his hon. Friend the Member for Sligo (Mr. Sexton) he would move the next Amendment, which stood in his hon. Friend's name. That Amendment was to insert after the word "may," in line 12, the words—

> "By public proclamation, which shall specify the counties and districts in Ireland over which the Special Commission Court shall have jurisdiction."

The object of his hon. Friend's Amendment was to provide that the Lord Lieutenant, on the passing of the Act, should issue a proclamation stating the particular counties and districts in Ireland to which the Act was to apply. For instance, it was desirable to know whether in Ulster, the town of Belfast, the counties of Antrim, Armagh, Down, Fermanagh, and Donegal, were to be included in the proclamation? He desired to have from the Government a statement as to the particular regions or areas over which they claimed that trial by jury had been a failure. It was too much the habit of the Government to make a general allegation. They had been in the habit of telling the House—and the statement was repeated in all the English newspapers—that there had been a failure of trial by jury; but the Government had never condescended to descend to particulars. He asked them now to tell the Committee where this failure of justice had taken place. He could understand that if it were simply a local disease the remedy also should be local; but the claim now made on behalf of the Government extended over the entire length and breadth of Ireland, and what he wanted to get at was, the precise area in which, in the opinion of the Government, there had been a failure of justice. He could understand the right hon. and learned Gentleman the Home Secretary saying—"It is quite true that it is only in particular districts that this failure occurs; but it is possible that the disease may spread over the entire country." But, nevertheless, the Government were always alleging that there was at least one quarter of Ireland which was safe, and in which the people were loyal to the British Constitution. That portion of Ireland was Ulster, and he, therefore, respectfully asked the Government if they were going, by this Bill, to place the Province of Ulster under the ban of disloyalty, as being a district where trial by jury had been a failure? What would be the effect of refusing an Amendment of this character? He asked the Government to give the Committee some distinct statement as to where trial by jury in Ireland had failed. For his own part, he denied that trial by jury had failed, and he asserted that in the large majority of cases in which there had been an acquittal or a disagreement the evidence which had been brought before the jury had been insufficient to warrant the conviction of the accused persons. If there had been any failure at all, it had been entirely a failure of evidence, and a failure on the part of the Government to bring the real criminals to justice. There had been no failure of the jury to convict when the weight of evidence would have justified a conviction. The failure was altogether in the police system. Surely, the right hon. and learned Gentleman was acquainted with the centres and areas over which the Government claimed that trial by jury had been a failure. Let the right hon. and learned Gentleman inform the Committee what those areas were; the Committee would then be able to analyze his statement. But if he asserted that over the entire range of judicial proceedings in Ireland there had been a failure, that might be a very convenient course for him to take; but it was no answer to the assertion of the Irish Members that there had been such a failure at all. He trusted that the Government, by accepting the Amendment, would give some indication that they did not wish to apply the provisions of the Bill to the whole of Ireland, and he further trusted that the right hon. and learned Gentleman the Home Secretary would be able to make a statement that would be satisfactory to the Irish Members.

Amendment proposed,

In page 1, line 12, after "may," insert "by public proclamation, which shall specify the counties and districts in Ireland over which the Special Commission Court shall have jurisdiction."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

Sir WILLIAM HARCOURT said, it was certainly not the intention nor the expectation of Her Majesty's Government that the jurisdiction to be created by the Bill should apply to the whole of Ireland. Indeed, he hoped that it would not apply to the greater part or to any large portion of Ireland; but as to what part of Ireland it should or should not apply to, that was a matter which must vary from day to day. If the condition improved the area would get less; and if the condition got worse then the area would become greater. The very essence of that jurisdiction was that it should not be stereotyped by the Bill, or even by a proclamation. Nor would the issue of the proclamation define what the hon. Member desired; because, if the Government were compelled to define the limits of the operation of the Bill under the proclamation, they would not be safe unless they proclaimed almost the whole of Ireland, because it would not be desirable to extend the jurisdiction to a particular place after a crime had been committed there. Take the case of a murder like that which occurred the other day. Suppose the place were in a proclaimed district. Then, in order to bring it within the operation of this Bill, it would be necessary to make the proclamation *pro ad hoc* after the murder had been committed. He did not think that that would be at all desirable. They must proclaim not individual places alone, but the whole district. They could, as the Bill stood, limit the area to which it was applied actually to the places in which individual murders or crimes were committed; but if the Amendment were adopted, the Government would not be safe unless they proclaimed very large and extensive districts all over Ireland. But, in point of fact, what the hon. Gentleman desired would actually occur under the Bill. The Bill would only be applied to cases in which it was found necessary to apply it. If the Amendment were adopted, it would drive the Government, in order that they might meet contingencies that might arise in future, to proclaim much more extensive districts than those which under the Bill it would be found necessary to proclaim.

Mr. WARTON said, he rose to a point of Order. He apprehended that the Amendment could scarcely be put in its present form, because it spoke of a "Special Commission Court," whereas no such expression yet occurred in the Bill, and would not come in until they reached lines 27 and 28.

Mr. HEALY said, that, as regarded the point of Order, any difficulty of the kind referred to might easily be avoided by the insertion of further words.

The CHAIRMAN said, the Amendment was quite in Order. "Special Commission Court" was the short title of the clause itself, and though that does not form part of a Bill, the same expression was used in different parts of the Bill, and it was not out of Order to refer to it in that way.

Mr. MARUM said, the object of the Amendment was to limit the operation of the Commission. He admitted that there was a difficulty in dealing with that question at that stage of the Bill. A subsequent section, Clause 22, provided that—

> "Subject to the provisions of this Act, and for the purpose of the trial of any person charged before them, a Special Commission Court shall have all the powers and jurisdiction of Her Majesty's High Court of Justice in Ireland."

In the second place, it was to have—

> "The same powers and jurisdiction as if it were a court of oyer and terminer;"

and, in the third place, the same powers as—

> "A court of gaol delivery, trying with a jury an offender indicted before such court;"

and, lastly—

> "All the powers of a petty jury at such court."

It might be difficult, until that question came on for regular discussion, to adopt this Amendment; but he took it that the only object of the Amendment was to limit the operations of the Court to certain districts.

Mr. GRAY confessed that he did not attach any particular importance to this Amendment; but he did attach considerable importance to the declaration of opinion it had elicited from the right hon. and learned Gentleman the Home Secretary. The right hon. and learned Gentleman stated that he considered it most undesirable that a proclamation should issue in reference to a crime which had already been committed. If that was his deliberate opinion, he (Mr. Gray) was sure that when the question came on for debate he would recognize the undesirability of trying crimes already committed under a proclamation which had not yet been issued. It would, therefore, be necessary to restrict the proclamation to crimes committed after the passing of the Bill; because it would be impossible to draw a distinction between the two cases of trying a crime committed after the passing of the Bill and trying a crime committed prior to the issue of the proclamation. If it was undesirable in one case, it was much more undesirable to try a crime committed before there was any possibility of issuing a proclamation. He hoped, therefore, that the right hon. and learned Gentleman would not forget in the future discussion of the Bill the clear opinion he had given utterance to on this particular occasion.

MR. CALLAN said, he thought that it would be wise to accept the Amendment, if only to remove an impression which might be an erroneous one. While the Bill took power to select the Judges, there was an impression that this part of the measure might place in the hands of the Government the power of selecting prisoners. Take the case of the county of Louth. They could not go to the county of Louth, because there was a state of tranquillity in that county; and were they, then, to issue a Commission for the purpose of selecting prisoners from that county? The clause spoke of—

> "The duty of sitting at the place named in the warrant, and of there, without a jury, hearing and determining, according to law, the charge made against the person so committed for trial and named in the warrant."

The real objection of the Government to accept the Amendment would be that if they proclaimed any county in Ireland they might be obliged to try as prisoners all persons who might have committed any one of the six classes of offences specified in the clause. If they did not do that they would be able to point out or select or "spot" the men they wanted to have convicted. There were only certain persons that they wished to try and convict under this Bill. It was, therefore, desirable that districts in which these crimes did not occur should be protected, and that the Government should not take power not merely to select the Judges, but to select and "spot" the prisoners who were to be tried.

MR. HEALY said, the statement which had been made by the right hon. and learned Gentleman the Home Secretary was a very important one. The right hon. and learned Gentleman said that it was not for offences that had been committed that he refused to restrict the Bill, but for offences that might have to come. He wished to ask the right hon. and learned Gentleman to remember what would be the fate of all the districts in Ireland which were not proclaimed *ad hoc*. Would it not be an intimation to the jurymen of such districts that if they did not do their duty in what he considered to be a proper manner the Lord Lieutenant would issue a Commission. He (Mr. Healy) was rather alarmed at the prospect the right hon. and learned Gentleman held out to them. He presumed that it would be possible under the Bill for the Lord Lieutenant to issue a Special Commission for the county of Cork and to sweep into it every criminal from the Giant's Causeway down to Cape Clear. That was what the right hon. and learned Gentleman distinctly stated to be possible. The 22nd clause of the Bill stated that—

> "Commissions under this Act constituting a Special Commission Court should be in the prescribed form and be issued in the prescribed manner."

He should like to know what the Government view of that clause was? Did they intend that the Lord Lieutenant should proclaim certain districts immediately he had obtained that power? [Sir WILLIAM HARCOURT: No.] The Government did not. A man had a natural right to trial by jury where an offence had been committed; but if this Bill passed in its present shape any man charged with an offence might be brought down to the county of Cork, hundreds of miles from the place where the crime was committed, simply that he might be tried by a Special Commission in order to suit the whim of the Executive. The Government might say that they did not intend anything of the kind; but he wanted to have an assurance that such a thing could not happen. Until he was himself put upon his trial for a Whiteboy offence such a thing had never been known as a bail case being brought before a Winter Assize. But the Government made an inroad upon the ordinary course of procedure and tried him before a Winter Assize for an offence for which he was bailed. There might be similar inroads upon the regularly understood practice under the provisions of this Bill. Persons they had never seen and never heard of—some little clique in Dublin—might obtain an order for a Special Commission to issue under this Bill for the simple purpose of trying offences which were alleged to have been committed a great distance away. They could not forget what had been done under the Act of last year. It was not ancient history. It was well known that the Government obtained the Act for the purpose of attacking certain persons—"village ruffians" they were called—but not being able to find persons who came within that category, they used the provisions of the Act for the purpose of attacking quite a different class of persons. The 22nd section of the Bill provided that—

> "Commissions under this Act constituting a Special Commission Court shall be in the prescribed form and be issued in the prescribed manner."

Would the issue of a warrant in a prescribed form and in a prescribed manner give information as to the area within which the operations of the Commission were to be confined? If the right hon. and learned Gentleman the Home Secretary objected to the Amendment as a whole, would he accept the words "by public proclamation," leaving out all the rest? If the right hon. and learned Gentleman would do that it would modify the objection entertained to the clause as it now stood, and the right hon. and learned Gentleman might be able to widen the area later on for *ad hoc* purposes.

Sir WILLIAM HARCOURT said, the hon. Member had asked the Government to state exactly what they meant by this clause. He thought that was a very fair demand, and he would state exactly what it was intended to meet, and why he thought the Amendment would defeat the object the Government had in view. The object of the clause was to punish crime and to deter a person who was likely to commit a crime by the certainty that he would be punished. What was regarded as a very important matter now was that the murderer went from one county to another. He was very often transferred from one county to another in order to commit a murder or an outrage, and he had a good chance of escaping punishment if he could get a single individual upon the jury by whom he was tried who was inclined to let him off. That greatly encouraged murder, and in order to get rid of that encouragement it was absolutely necessary the Government should be able to show such an individual that they had the power of securing the execution of justice against him by the formation of a fair and impartial tribunal, without giving him the chance of having a sworn member of a secret society on the jury fully prepared to acquit him. That power was not to be exercised anywhere, but only where it was thought necessary to exercise it. If the Bill were made to apply to proclaimed districts only, the unproclaimed districts would be in more danger than those which were proclaimed, because the man who contemplated the perpetration of a crime would say—"Here is a district in which I can commit murder." [Mr. Healy: Would he not require a victim?] Yes; he would require a victim; but he was sorry to be obliged to add that a victim was never wanted, even in one of the least disturbed districts, whether the victim happened to be a Chief Secretary or an Under Secretary. Nor was there any necessity that the victim should be a native Irishman, it was all the same to the intending murderer. The present Bill was directed not only against resident Irishmen, but against foreign assassins, and it was necessary that they should detect and punish the criminal wherever he was found. Any limitation in this respect would entirely defeat the object of the Bill. It must not be allowed that a member of one of the secret assassination societies which existed in Ireland and elsewhere should be able to commit a murder, and then take his chance of escaping punishment by having a confederate upon the jury. It was against occurrences of that kind that this Bill was directed; and he was quite sure the Committee would see that the moment they began to define the areas they would defeat the object of the Bill, and create the very danger they wished to avoid. There must be no district in Ireland in which an assassin connected with a secret society could consider himself safe in consequence of being able to have a confederate on the jury.

Sir GEORGE CAMPBELL said, the question raised by the Amendment was a very important one. Two views might be taken of the clause. On the one hand, the Government might say they would apply the clause to particular districts in which there were secret societies, and in which it was necessary to adopt a stringent course, because it was difficult to obtain a conviction where juries were terrorized over to such an extent that they were incapable of performing their duty; and, on the other hand, as the clause now proposed, particular cases in every part of the country might be withdrawn from jury-trial. He did not think that the argument of the right hon. and learned Gentleman the Home Secretary altogether applied, because the objection raised was not with reference to the place where the murders were committed, but to the tribunal which it was proposed to establish for trying murder when it had been committed. If an assassin went down and committed a murder in a district where a jury refused to be terrorized over, his object would not be gained. It was only in those districts in which no dependence could be placed upon trial by jury that this Special Commission would be of any service. If the object was to pick out particular cases and submit them to a Special Commission, all he had to say was that such a mode of selection would be a very invidious practice. The wording of the clause was—

> "Whenever it appears to the Lord Lieutenant that in the case of any person committed for trial for any of the said offences, a just and impartial trial cannot be had according to the ordinary course of law, the Lord Lieutenant may by warrant assign to any such Court of Special Commissioners the duty of sitting at the place named in the warrant, and of there, without a jury, hearing and determining, according to law, the charge made against the person so committed for trial and named in the warrant."

But it would be a most invidious course to pick out and select the persons who were to be tried by the Commission. He might instance the case of the recent terrible murders in Dublin. He hoped it might yet be the case that the perpetrators of that crime would be apprehended and put upon their trial and brought to justice. But it would be a very invidious thing for Her Majesty's Government to say to the people of Dublin—"Your opinions are such that even in regard to such a terrible crime a fair and impartial trial cannot be had in Dublin, and, therefore, we will try the case before a Special Commission;" but, on the other hand, the proceeding would be by no means so invidious if it could be shown that the district was so ramified by secret societies, and that such terrorism had been brought to bear upon the people, that on that account the county and city of Dublin had already been proclaimed as a district in which a fair trial could not be had.

MR. LEAMY remarked that his hon. Friend the Member for Wexford (Mr. Healy) had asked the Home Secretary to accept a portion of the Amendment—the words "by public proclamation," rather than reject the whole of it. As the Bill at present stood hon. Members did not know whether, when it appeared to the Lord Lieutenant that a fair trial could not be had, he might not make out a warrant directed to these Judges, and the Judges might then hold their Court in private. Hon. Members who supported the Amendment were desirous that the Court should be held in public, and that every possible publicity should be given to the action of the Lord Lieutenant. At first sight he had been inclined to think that the Amendment was wholly unnecessary; but, on reconsideration, he was of opinion that it was desirable to have some assurance from the right hon. and learned Gentleman as to whether it was intended to make a public announcement of the intention to hold a Special Commission Court and of sending prisoners before it for trial.

MR. T. C. THOMPSON said, he thought the words of the clause as they now stood were better than the words of the Amendment. By the Constitution of England every person charged with an offence was privileged to be tried in the county in which the offence was alleged to have been committed. There was nothing said in the clause as to where the Commission was to issue; but he assumed that the principles of the Constitution would be followed, and that the Lord Lieutenant would be limited in issuing a Commission for the trial of offences to the county in which they were committed. But if the words of the Amendment were followed the Lord Lieutenant would have power to extend the operations of the Commission over various counties; and, therefore, by accepting the Amendment they would be limiting the liberty of the subject to a greater extent than it was limited by the clause as it stood.

Sir WILLIAM HARCOURT said, that of course it was not intended that the Commission should be a secret tribunal, and there would be a proper announcement made of the appointment of a Commission. Hon. Members would see that the warrant must be a public warrant. He would, however, consider the matter, and he would make it plain that the tribunal which it was proposed to establish would not be a secret tribunal in any way. His objection to a proclamation was rather to the particular form of the proclamation laid down in the Amendment than to a proclamation itself.

Mr. HEALY said, that, under these circumstances, he would ask leave to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

The CHAIRMAN: The next Amendment of the hon. Member for Wexford (Mr. Healy) proposes to limit the operation of this part of the Bill to the 31st of May, 1883. That is practically bringing under discussion the 30th clause of the Bill, which deals with the duration of the measure, and which provides that it shall continue in force until the expiration of three years after the passing of the Act. I am of opinion that any limitation as to time must be considered upon Clause 30. The Amendment, therefore, is out of Order, and cannot be considered here.

Mr. HEALY said, he wished to point out that the clause gave certain powers to the Judges, and other powers were also given to the stipendiary magistrates. What he asked now was that one power should be made to expire at one date and the other might be made to expire at another. It might be expedient to continue the power of the stipendiary magistrates in regard to strangers and aliens and newspapers for three years. What he contended, and what the object of his Amendment was, was that the abolition of trial by jury should not remain in force for a longer period than 12 months.

The CHAIRMAN: I have already stated that the proper time for considering the limitation either of any part of the Act or of the whole Act will be upon Clause 30, and not in this place.

Mr. LEAMY asked whether, if the first part of the Bill were now passed just as it stood, the Committee would be giving to the Lord Lieutenant the power of issuing a Special Commission without any limitation whatever? If that were so, they would in all probability be told, when they came to discuss the question how long the Act was to remain in force, that it was too late to make any limitation as to the time.

Sir WILLIAM HARCOURT said, that any proposal to alter the Bill, either in whole or in part, could be made on the Report; but any question as to the limitation of its duration could properly be discussed under Clause 30. Under that clause it might be made to expire either at one time or another.

The CHAIRMAN: The next Amendment is in the name of the hon. Member for the City of Waterford (Mr. Leamy).

Mr. LEAMY moved, in page 1, line 15, to leave out the words "charged with," in order to insert the words, "committed for trial for."

Amendment proposed, in page 1, line 15, to leave out "charged with," and insert "committed for trial for."—(*Mr. Leamy.*)

Question proposed, "That the words 'charged with' stand part of the Clause."

Sir WILLIAM HARCOURT said, he did not object to the Amendment.

Amendment *agreed to.*

Mr. HEALY moved, in page 1, line 16, after the word "offences," to insert "where such offences have been committed in Ireland." He did not think the Government intended to object to the Amendment; but if they did he was prepared to argue it.

Amendment proposed, in page 1, line 16, after "offences," insert "where such offences have been committed in Ireland."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

Sir WILLIAM HARCOURT said, the Amendment moved by the hon. Member must be taken in conjunction with other Amendments, of which there were several on the Paper. The clause specified certain offences, such as murder, manslaughter, attempts to kill, aggravated crimes of violence against the person, arson, and attacks upon dwelling houses. These were all local offences, but treason or treason-felony was not a local offence. A person coming into the United Kingdom, in order to commit an act of treason, might be tried anywhere, instead of in a particular part of the country; and therefore the Amendment moved by the hon. Member hung upon the question whether treason and treason-felony were to be included among the offences dealt with by the Bill. He did not think it would be convenient to argue the point upon this part of the Bill; and as it really was incidental to the other question he had pointed out, it would be better to take the discussion upon the words "treason or treason-felony" themselves.

MR. GIBSON said, there was one point he would throw out for the consideration of the Government. The Bill intended and desired to grasp, as far as might be, the operations of secret societies, which obviously worked through a medium that was very hard to be got at. Everyone knew how extremely difficult it was to get at this class of offence. It comprised the crime of conspiracy; and it might be a matter for consideration how the question ought to be dealt with. There might be conspiracy of a very criminal character, in order to effect some such deplorable outrage as that which had been lately committed in Dublin. If this Amendment were agreed to, some of the parties who were most criminal might be resident in other parts of Her Majesty's Dominions, and it would be difficult to get at them. The question, therefore, was one which, in his opinion, was not to be lightly disposed of. He had not himself fully thought out the question, and he had prepared no Amendment upon it; but he threw out the suggestion that it was a question worthy of consideration at a future stage of the Bill. Although, as he said, he did not himself intend to place any Amendment on the Paper, it was not a question that ought to be disposed of in a few light words, but it involved many considerations which would have to be carefully looked into.

MR. PARNELL said, the object of his hon. Friend the Member for Wexford (Mr. Healy) was not to interfere with the nature of the offences, or to limit their description in any way, but rather to prevent the Bill from giving the Irish Courts a jurisdiction more extensive than that which they possessed at present. As the Home Secretary had pointed out, the Irish Courts at the present moment had jurisdiction to try the offences of treason and treason-felony, whether part of the offence might have been committed outside the jurisdiction, or whether it had been wholly committed within the jurisdiction, of the Courts. The Amendment of his hon. Friend did not interfere with that; and although he (Mr. Parnell) would not say that the Amendment best expressed what he wanted to see carried out, yet it would be evident to anyone who had considered the Bill that it was necessary to guard against conferring any jurisdiction upon the Irish Courts other than that which they possessed at present. That was to say, that they should not have power given to them by the Bill to try any offence without a jury which they did not possess at present to try with a jury. He thought if the right hon. and learned Gentleman the Home Secretary could see his way to state, if he approved of this view, that he would consider the matter, and endeavour to frame words in order to meet the object his hon. Friend the Member for Wexford had in view, the right hon. and learned Gentleman would get rid of a considerable amount of difficulty.

MR. HOPWOOD said, he was not quite sure that he followed his right hon. and learned Friend in his assertion that the question of venue was immaterial, except as regarded treason or treason-felony, because his right hon. and learned Friend would remember that murder committed abroad might become cognizable here, and the offender be placed upon his trial. He only wished to point out that, as a matter of fact, that was an offence which might be committed abroad, and yet be punishable in this country.

SIR WILLIAM HARCOURT said, that, no doubt, the matter required consideration, and he should be prepared to consider it.

MR. MARUM pointed out that the 3rd sub-section of the 22nd clause provided that—

> "Any offence with which a person brought for trial before a Special Commission Court in pursuance of this Act is charged shall be deemed to have been committed within the jurisdiction of such court."

The hon. and learned Member for Dundalk (Mr. C. Russell), seeing the importance of that provision, had an Amendment on the Notice Paper to add the words "provided the same has been committed in Ireland." He (Mr. Marum) had also an Amendment to a similar effect. It would, therefore, be seen that the question arose again on the 22nd clause, and it was regarded of so much importance that several hon. Members were prepared to propose that the jurisdiction of the Court should be confined to offences committed in Ireland.

Mr. HEALY asked if the right hon. and learned Gentleman the Home Secretary would consent to the insertion of the words "where such offences are committed within the jurisdiction of the Irish Courts?" He thought that would get the Committee out of the present difficulty. He did not wish to enter into a point which would lead to a long discussion; but he should feel obliged to do so unless he had some understanding from the Government. Take the Law of Conspiracy, for instance. A man might be tried for being a member of the Land League. The Land League in Ireland was suppressed; but there were branches of the Land League in England, and a man might be taken over to Ireland from Nottingham and tried under the provisions of this Bill. It would certainly be a monstrous thing to take a man over from this country, where certainly there had been no failure on the part of a British jury to return a verdict against the weight of evidence, and try him in Dublin, or elsewhere, by a Special Commission without a jury. He hoped the Home Secretary would accept the suggestion made by the hon. Member for the City of Cork (Mr. Parnell), and consent to insert the words "where such offences are committed within the jurisdiction of the Irish Courts."

Sir WILLIAM HARCOURT said, he thought, if the hon. Member for the City of Cork (Mr. Parnell) would look at the 2nd sub-section of Clause 22, he would see that the powers and jurisdiction of the Special Commission were defined to be—

> "All the powers and jurisdiction of Her Majesty's High Court of Justice in Ireland, and all the same powers and jurisdiction as if it were a Court of oyer and terminer, and a Court of gaol delivery, trying with a jury an offender indicted before such Court, and shall have all the powers of a petty jury at such Court."

It was quite plain, therefore, that the Court could have no powers except those which the Irish Judges at present possessed, except that of trying a case without a jury.

Mr. HEALY asked the right hon. and learned Gentleman to read Sub-section 3.

Sir WILLIAM HARCOURT said, he was about to do so. That Sub-section provided that—

> "Any offence with which a person brought for trial before a Special Commission Court in pursuance of this Act is charged shall be deemed to have been committed within the jurisdiction of such Court."

[Mr. Healy: Hear, hear!] Perhaps the hon. Member would allow him to go on. He thought that sub-section would require a further definition than it possessed at present, and he would undertake to extend the definition in the direction suggested by the hon. Member for the City of Cork (Mr. Parnell). That was to say, that it should apply only to cases that were now within the jurisdiction of the Irish Courts. He did not wish at present to commit himself to any particular words; but his object would be to confine the powers of the Special Commission to the jurisdiction now exercised by similar Courts in Ireland. It was not intended to take persons from England to Ireland and try them for offences which had not been committed in Ireland.

Mr. MARUM said, he had an Amendment on the Paper, which he intended to move when Sub-section 3 of Clause 22 was reached.

Mr. HEALY intimated that he would withdraw his Amendment. He would, however, ask the right hon. and learned Gentleman when he expected to be able to place the Amendment he had promised on the Paper? The point was one of some difficulty, and it would be a matter of convenience to hon. Members that they should be able to see the promised alteration as soon as possible. The Government would recollect that last year they were constantly objecting to Amendments in the Land Bill being brought on without an opportunity having been afforded of seeing them on the Paper. He hoped the Government would not be guilty of the same inconvenient practice.

Sir WILLIAM HARCOURT said, he would be able to place his Amendment on the Paper by Monday, at all events.

Amendment, by leave, *withdrawn.*

MR. HEALY said, there was another matter which he thought it would not be necessary to argue at any length, because he believed the Government would be prepared to give way in reference to it. It was to insert, in line 16, after "offences," the words "committed since first May, one thousand eight hundred and eighty-two." He might mention a fact which occurred in connection with the Coercion Bill of last year. The Government brought up a clause in that Bill in the same form as the clause in the present Bill; but, after a discussion, they found themselves obliged to limit it in the way now suggested. As the Bill now stood, the hon. Member for Tipperary (Mr. P. J. Smyth), who sat and voted with the Government, might be indicted for treason committed in the year 1848. Sir Charles Gavan Duffy, at present one of Her Majesty's Ministers in Australia, was tried five times without a conviction; and under this Bill, he might now be put upon his trial for a sixth time. He admitted that the Government were not likely to take such a course; but some limitation was certainly desirable. He had suggested the 1st of May, 1882; and he hoped that any offender who had been guilty of any of the crimes dealt with by the Act, might be detected and punished. The Irish Members had no desire to screen any offender whom the Government might have in custody charged with the commission of actual crime; but they desired to see some limitation put upon the retrospective action of the clause. The right hon. and learned Attorney General for Ireland must have some good idea who the men were he was anxious to try under this Bill. There were a certain number of men in gaol at the present moment, and the right hon. and learned Gentleman would know whether the offences they had committed would bring them under the provisions of this new Coercion Act. By the Coercion Act of last year the offences for which arrests could be made were limited to offences committed subsequent to the 30th of September, 1880; and he thought, in regard to the present Bill, it was only reasonable that the Government should make up their mind and give the Committee some undertaking that they would fix a limit. He hoped the Government would see the absolute necessity of providing a limit.

Amendment proposed,

In page 1, line 16, after "offences," insert "committed since first May, one thousand eight hundred and eighty-two."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

SIR WILLIAM HARCOURT said, he quite agreed with what the hon. Member had said—that it was not desirable to bring up the old cases of treasonable offences which had been alluded to. That would be altogether unreasonable and undesirable; but when they came to questions like those of murder, and outrages approaching to murder, really there should be no prescription for crimes like those. And what was more, it was impossible to define any limit of date. To say that the Bill should not deal with murders committed prior to 1880 would be to defeat the whole object and tenour of the measure. Reference had been made to the Bill of last year; but that was a measure of a different character altogether. It was a measure of a preventive character, authorizing the arrest of persons who were suspected of being guilty of criminal practices, of intimidation, and inciting to violence. It was necessary, in that case, to fix some limit upon the retrospective action of the Bill; but the object of this Bill was to supply a fair and impartial tribunal for the punishment of criminals, and for insuring that they should be brought to justice. There certainly was no reason for assigning any date, or any possibility of defending the assignment of any particular date, beyond which the Act should not be operative. It was said that a person would be brought under a jurisdiction to which he was not subject before the passing of the Act. That was not so. No man had a right to commit murder on the assumed impunity of being tried by an unfair and partial tribunal. The impunity of crime was not a vested right which any man could set up; and if a man had enjoyed it for a certain period—it might be for one year, or for three or four—in consequence of the uncertainty that an Irish jury would agree to convict him, he had no right to say—"I committed murder because I thought I should get off. It is pretty certain that a year ago no jury would have convicted me, and if I had ever thought that I should be punished for this murder, I should never have committed it." No man was entitled to set up a defence of that nature. Everyone had a right to assume that if he committed a crime he would be punished for it; and all this Bill did was to provide a certainty in the future that punishment would follow crime. He saw no reason why, as regarded the heinous offences of treason, murder, or of other aggravated crimes mentioned, the Bill should not be retrospective. This, however, was not really retrospective legislation. It was simply applying to crime, if proved, the punishment which crime ought to receive. The Bill simply constituted such a tribunal as would accomplish such a result, and no offender had a right to complain.

Mr. T. P. O'CONNOR said, he thought that in the remarks which the right hon. and learned Gentleman had made he had begged the whole question, because the question between the Irish Members and the right hon. and learned Gentleman was whether a tribunal without a jury was fairer than one with a jury. He (Mr. O'Connor) and his Friends said it was, and the right hon. and learned Gentleman had no right to take advantage of his own wrong. The right hon. and learned Gentleman had drawn a picture of murderers committing murder on the prospect of being acquitted by a corrupt jury. Now, he ventured to say that this was a foul calumny upon juries in Ireland, which the right hon. and learned Gentleman was unable to substantiate. The right hon. and learned Gentleman was unable to prove that any jury had refused to convict when honest, fair, and convincing evidence had been placed before them. The right hon. and learned Gentleman said that no murderer had a right to look for impunity. Certainly not. But a murderer, however great a criminal he might be, had a right to look forward to a fair trial, protected by his peers. The Government were, by this Bill, taking away from him the safeguard which he now possessed. The Bill was introduced partly for the prevention of crime, and partly, he presumed, for the settlement of Ireland; but anybody who took anything like a statesmanlike view of the affairs of that country would rather be prepared to tolerate a certain amount of evil, lest, by interfering with small evils, larger evils would result. He (Mr. O'Connor) was of opinion that the Government would do much to disturb the tranquillity of Ireland if they raked up all the transactions which had taken place in bygone years. It might be that a few criminals would be punished; but Ireland would be disturbed, and its tranquillity would be disturbed, and that return of peace and order, which they all desired, would be prevented, if, the moment they secured the passing of this Bill, they went about the country bringing men before what might turn out to be a very partial Court of Justice, and trying them for offences which were now of very ancient date.

Sir William Harcourt

Mr. MACFARLANE said, he did not think it was the intention of the Amendment of the hon. Member for Wexford (Mr. Healy) to create a Statute of Limitations for murder, or any other atrocious crime, but that it was aimed at such cases as that of Sir Charles Gavan Duffy and others, who were tried for treason many years ago. He would suggest to the right hon. and learned Gentleman the Home Secretary, that while he might consent to limit the period in relation to the first class of crimes defined by the clause—namely, treason and treason-felony—the other atrocious crimes mentioned were of a character that demanded no limitation to be made in their favour. He would, therefore, suggest that the right hon. and learned Gentleman should accept the Amendment as to the date, moved by the hon. Member for Wexford (Mr. Healy), or any other limitation which would prevent the Bill from having a retrospective operation in regard to treason or treason-felony. The clause might still remain as it stood in reference to the other atrocious crimes, which he was sure no hon. Member desired to protect. If the right hon. and learned Gentleman would do that, he thought his hon. Friend the Member for Wexford would be prepared to accept such a limitation, as he could only desire to protect political offenders, and not criminals.

Mr. PARNELL said, he was not prepared to deal with the questions of treason and treason-felony in the manner proposed by the Bill. The point whether treason and treason-felony were to be included in the Bill was still to be discussed, and still to be decided by the Committee; and if they limited the date in regard to treason and treason-felony, they would be practically begging the question altogether, and deciding that treason and treason-felony were to be offences within the jurisdiction of this Special Commission. It seemed clear enough that the intention of the Home Secretary was to provide that there should be retrospective action as regarded graver crimes. That seemed, at first sight, fair enough; but they were able to point to the fact that there had been no failure of justice wherever a murderer had been detected and brought before a jury in Ireland during the last two years. They had challenged the right hon. and learned Gentleman the Attorney General for Ireland to say whether, in his opinion, there had been any failure of justice in such cases, and whether any verdict had been given against the weight of evidence in a murder trial in Ireland. He had watched the cases which had been tried very carefully, and he must say it seemed to him to be the opinion of the Law Officers of the Crown, and the public opinion generally, that in murder cases, when brought to trial, the decisions which the juries arrived at were overwhelmingly in accordance with the evidence; that the persons acquitted were rightly acquitted, and that no other decision could have been come to on the evidence. If the right hon. and learned Gentleman the Attorney General for Ireland were in his place, he would ask him if he did not coincide with him (Mr. Parnell) in this view—whether, in any of the four murder trials which took place last year, the verdict of the jury did not appear to him to be in accordance with the weight of evidence; and whether he, as one of the Law Officers of the Crown, had any fault to find with the decisions arrived at? They had no wish to evade the punishment of murder; but they knew very well that wherever a power of this kind was given in Ireland, it simply led to the springing up of the common informer—of whom they had seen a few forerunners already. In all probability history would only be repeated in this case, and they would see innocent men brought before these tribunals and, perhaps, executed on false and perjured testimony. There was another point which might fairly be pressed upon the Government. They had had offences committed in Ireland during the last two years against the law by a certain number of desperate men; and what was more certain to make these men still more desperate, and induce them to commit still further acts against the law, than to tell them that they were to be brought before this exceptional tribunal, and that no sort of amnesty would be held out to them for anything they might have done in the past? The measure would only have the effect of making them believe that it was not merely justice, but harsh vengeance, which was to be exacted against them. There was nothing, therefore, more likely to make those men determined to destroy peace and tranquillity in Ireland than an inflexible resolution of this kind. He believed there was a feeling in Ireland at the present moment, which, if it were not checked by the introduction of this Coercion Bill, would have been quite sufficient of itself to have put down outrages without the assistance of any measure of this kind. By adopting a harsh and vindictive policy, the Government would simply render these men desperate and supply every inducement in their power to make them take measures to secure that there should not be peace and that return of quietude which all of them so much desired. He thought they were entitled, under these circumstances, and in view of the fact that juries had invariably, in Ireland, in trials for murder, and in the very grave penalties and punishment which were involved in cases of murder, given their verdicts in accordance with the weight of evidence, to ask that the Government should re-consider their position and withdraw the retrospective action of the Bill. Trials for murder had not failed in Ireland. Juries had been willing to convict whenever any substantial evidence was given; and until the Law Officers of the Crown were able to show that the verdicts in such cases had been given against the weight of evidence, he thought the Government were not entitled to ask for the very sweeping provisions contained in the present clause. Did anybody doubt for a single instant, that if the murderers of Lord Frederick Cavendish and Mr.

Burke were fairly detected and brought before a jury for trial on reasonable evidence, there would be a failure to convict? He feared very much that the effect of the proceedings which would be taken under this clause would be still further to estrange the sympathies of the Irish people from the efforts which were being made for the vindication of the law in Ireland.

Sir WILLIAM HARCOURT said, he would be quite disposed on the part of the Government to meet the views of the hon. Gentleman as regarded the operation of the Bill in respect to the offences of treason and treason-felony; that was to say, they would be prepared to consider whether they could so amend the Bill as to make the Bill prospective, and not retrospective, in regard to those offences. With reference to the question of murder, he confessed he could not take the view of the hon. Member for the City of Cork (Mr. Parnell), when he indicated that unless they gave some sort of amnesty to the men who committed such crimes, they might drive them to commit greater offences. He did not believe in his heart that murderers were accessible to the principle on which amnesties were granted. All that had to be done was, first of all, to try to get evidence, and then to see that that evidence was committed to a fair and impartial tribunal which would do justice. The Government could not be deterred in their duty by any expectation that these criminals would mend their ways. They were the enemies of the human race, and they must be treated as such. They were like pirates, and must be treated as *hostes humani generis.* He did not see how, in this Bill, they could do anything else than do that which was their object throughout—namely, procure a tribunal to which evidence would be offered in the expectation that it would be justly dealt with. Therefore, he did not see that they could make any limitation of time in this respect.

Mr. JOSEPH COWEN said, he thought the right hon. and learned Gentleman had misunderstood the character of the remarks of the hon. Gentleman the Member for the City of Cork, who did not ask for any amnesty for murderers. He understood the hon. Gentleman to ask that the retrospective provisions of the Bill should not be administered in a cruel and harsh spirit, but that reasonable consideration should be allowed for the present "suspects" in Ireland and for public opinion in Ireland during the last two or three years. He did not think it was the wish of any man in that House that an amnesty should be granted to any murderer; but he was sure no one desired that a man should be tried by the new tribunal for a political offence committed 20 years ago. If evidence could be got against men who had committed such offences in years gone by, let them be tried in the ordinary way. What the hon. Gentleman the Member for Wexford (Mr. Healy) wanted was that a man who committed a crime at some distant date should be tried by a jury in the ordinary manner, and, to that extent, he (Mr. Cowen) believed the limitation proposed was good. It had been hinted that the "suspects" now imprisoned in Ireland were to be brought to trial. He hoped that was not the case. If men who were arrested upon reasonable suspicion of being disturbers of the peace were to be brought to trial eight or ten months after the alleged offence was committed, he believed it would disturb the equanimity of many hon. Gentlemen who supported the Coercion Bill last year. It was certainly the prevailing wish that the "suspects" should be released, and that if they had committed other offences, they should be dealt with according to the ordinary forms.

Mr. T. D. SULLIVAN said, it seemed to him that the right hon. and learned Gentleman the Home Secretary proceeded upon two perfectly gratuitous assumptions. The first was that trial by jury in Ireland had been proved to be worthless. They had challenged such an assumption all along, and they had never been met on that challenge. No proof had been given to the Committee that trial by jury in Ireland had failed in any case in which sufficient evidence was brought before a jury; but the right hon. and learned Gentleman chose to represent to the Committee that trial by jury in Ireland was absolutely worthless. That was an assumption which he hoped the Committee was not going to take upon the mere word of the right hon. and learned Gentleman. Where was the proof? After deprecating trial by jury as worthless, the next assumption of the right hon. and learned Gentleman was, that the new tribunal was to be infallible. They challenged both assumptions of the Home Secretary. They maintained, in the first place, that trial by jury in Ireland had not been proved to be worthless or incapable of doing the duty assigned to it; and, in the next place, they denied the infallibility of the new tribunal. If the contention of the right hon. and learned Gentleman were correct, if trial by jury had been for a long time so worthless an institution that men committed murders in Ireland on the understanding and in the belief that they would never be convicted, why restore trial by jury at any future time? Why not make this new Coercion Act perpetual, if the new tribunal could do no wrong, and if trial by jury could do nothing right? It was sheer nonsense on the part of the right hon. and learned Gentleman to tell the Committee that murderers in Ireland murdered their victims in the belief and on the understanding that juries would not convict them. Such an assertion was absolutely incredible, and, moreover, it was not true. Men who committed those evil deeds in Ireland took the risk of their actions; they calculated more upon the stupidity of the police and their own cleverness than upon the dishonesty of Irish juries. If there was no dishonesty amongst Irish juries, and it had never been proved there was, why bring this serious accusation against them? The allegation made by the right hon. and learned Gentleman was monstrous; it was an insult to all jurors from one end of Ireland to the other, and it was utterly baseless. He denied the character that was so quietly asssumed for the new tribunal. It was set up as infallible, and as a tribunal that would assuredly bring the criminal to justice. The tribunal of Judges, however, would find itself confronted by the same difficulties that Irish juries had had to contend with—they would want evidence. In the case of the horrible and lamentable murder that had just been referred to, what was wanted was evidence. The criminals were too clever for the police. The root of the evil lay in the lack of evidence, and did not lie at the door of Irish juries. The people of Ireland had no sympathy with crime, and no sympathy, least of all, with the atrocious crime of murder and assassination. Before any further accusations were made against Irish juries, he would ask the Law Officers of Ireland to give them the justification for such charges.

THE CHAIRMAN: Before the discussion continues further, I would remind the Committee that the question is not the abolition of trial by jury.

MR. PARNELL said, he never conveyed in the slightest degree that there should be any amnesty for the perpetrators of the more serious offences mentioned in the sub-section of the clause; and he certainly thought the Home Secretary was not entitled to draw the deductions he appeared to have done. He never suggested there should be any amnesty for murders, for manslaughters, for attempts to kill, for aggravated assaults, or for arson; but what he said was, that they were fairly entitled to ask that, inasmuch as trial by jury was to be abolished in respect to such serious offences, the clause should not be retrospective in its action. What he had wished to convey, and what he would respectfully press again on the Government was, that, as regarded the retrospective action, at all events, some distinction should be drawn between the more serious offences scheduled in the clause and the lighter ones. In subsection (*f*) an attack upon a dwelling-house was mentioned as one of the offences which were to be referred to the new tribunal. Now, an offence of that kind might be very serious or very light. Where an attack on a dwelling was collusive—as it frequently had been in the course of the Land movement—in many, in fact, in the majority of cases the attacks on houses had taken place at the request of the tenants themselves, in order that they might have some excuse for going to their landlords the next day and ask for an abatement—they might fairly draw some distinction between such attacks on houses and attacks on houses involving danger to life and property. He desired to ask whether the Government could not see their way to draw some distinction, as regarded the retrospective character of the Bill, between those two classes of offences—offences involving danger to life and property, or offences in which there was actual harm done to life, person, or property, and offences connected with the Land movement which, though legally and technically serious and grave, would not, under the English law, be punishable by more than three months' imprisonment?

Mr. HEALY said, everybody knew that there had been no sort of trial for treason or treason-felony for the last 10 years, and, therefore, during that time there could have been no failure of justice in respect of such offences. The Home Secretary said he was willing, so far as treason and treason-felony was concerned, to make the Bill not retrospective within a reasonable time. As there had been no trials for such offences within the last 10 years, what could the right hon. and learned Gentleman mean by a reasonable time? When they brought the fact under the notice of the Government, the answer they got was—"We will make the Bill prospective instead of retrospective." In view of that fact, he must admit that was a tremendous concession on the part of the right hon. and learned Gentleman. They would thank the Government for nothing; they did not thank the right hon. and learned Gentleman one bit for the concession he had made. With all respect to the right hon. and learned Gentleman, he must say that his contention was absurd. He (Mr. Healy) and his hon. Friends had the best of the argument in many cases, yet were simply voted down by the big battalions opposite, who, he was surprised to find, were ever ready to support the Government, whether they were right or wrong. No Member of the Committee could show that the Government were right in their contention respecting the crimes of treason and treason-felony, yet, to the discredit of their independence and intellect, hon. Gentlemen were prepared to support the Ministry in seeking for this power simply because they asked for it. Every Member of the House of Commons was supposed to exercise an independent judgment; but where was the independent judgment of hon. Gentlemen when they allowed the Government to make a case for them? The Government admitted, by the kind of concession the Home Secretary had announced, that, so far as treason and treason-felony in the past was concerned, they were utterly wrong, and that they had no case. That being so, he could not understand how Englishmen—men of honour and of intelligence—were prepared to support them on the point now before the Committee. He asked the Government to give them answers that were tangible and practical. They had had no such answers up to the present. In his opinion, it was not sufficient for the right hon. and learned Gentleman the Home Secretary to get up and give the Committee his own *ipse dixit*. If the Government expected to get the Bill through, they must meet the Irish Members by argument. Whenever the Irish Representatives had been confronted with good and valid arguments, they had invariably conceded the point. All he had now to say was that if the Government were only prepared to proceed on their own *ipse dixit*, that Assembly, instead of being a deliberative Assembly, as it was commonly understood to be, would be simply turned into a farcical Institution.

Sir WILLIAM HARCOURT said, the hon. Gentleman appeared to have entirely misunderstood him. What he had said was, that the Government were disposed to meet the views of the hon. Member for the City of Cork (Mr. Parnell) with respect to the offences of treason and treason-felony. He did not think there was anything unfair or unreasonable in the position the Government had taken up.

Mr. HORACE DAVEY said, it would ease the minds of many hon. Gentlemen if the Government would state what their intentions were with regard to the principle embodied in the Amendment. The right hon. and learned Gentleman had said, quite truly, that the Amendment which was at present under discussion had a very considerable bearing upon the Amendment to leave out the words "treason and treason-felony." He had an Amendment on the Paper to leave out those words. It was obvious that if the Government were disposed to meet the wishes of what, he was sure, was a large section of the Committee on the question to leave out those words, it would ease their minds very much in seeing a way in which they could vote on the present Amendment. If the words were to be retained, unquestionably some words must be inserted by which what had been called "State treason" should be excluded. If treason and treason-felony were not to be retained as offences to be tried by the new tribunal, of course they would vote against the Amendment; because he quite agreed that, with regard to crime, there was no Statute of Limitations, and that a criminal had no vested interest in a particular mode of trial. He should vote against the Amendment of the hon. Member for Wexford (Mr. Healy), if the Government would give them some satisfactory indication of the line they were likely to take upon the more serious question to be raised subsequently.

SIR WILLIAM HARCOURT said, that the question of time could be more properly dealt with after they had got the words "treason and treason-felony" in the Bill. It would be like putting the cart before the horse to deal with the question of time first. The hon. and learned Gentleman (Mr. Horace Davey) said there was no statutory limitation with respect to crime; but, though he was a Queen's Counsel and a great lawyer, he did not appear to consider treason a crime at all. That the hon. and learned Gentleman should deal with treason as though it was not a crime was a thing he (Sir William Harcourt) could not understand. He had always regarded treason as one of the highest crimes, and he considered it ought to be dealt with as such. There were particular reasons why they might not desire to go back upon old classes of crime; but he could not consent to deal in the Bill with the subject upon the assumption which seemed to underlie his hon. and learned Friend's remarks—namely, that treason was not a crime, or a crime which ought to be placed in the same category as the other offences mentioned in the clause. That was all he could say at present. He wanted to keep the discussion in its proper groove, and, therefore, he would suggest that this Amendment as to time should not be pressed at present. The hon. Member for Wexford (Mr. Healy) would lose nothing by postponing his Amendment until the question of the offences to be included in the clause had been determined. Having decided the main question, they would then consider the question of time—whether or not the Bill should be prospective or retrospective.

MR. HEALY said, that if the right hon. and learned Gentleman was disposed to meet them in a conciliatory spirit, they would see what they would get by withdrawing the Amendment.

Amendment, by leave, *withdrawn.*

MR. PARNELL said, he would now move the Amendment which stood in the name of the hon. Member for Dungarvan (Mr. O'Donnell). It was in page 1, line 16, after "offences," to insert "where such offences are agrarian offences." It was admitted by everybody that justice had only failed in Ireland in the case of agrarian offences. The Bill was admittedly brought in to deal with agrarian offences, and therefore there was no reason why the Bill should not be limited to such crimes. He could not see what possible objection the Government could urge against the Amendment.

Amendment proposed,

In page 1, line 16, after "offences," insert "where such offences are agrarian offences."—(*Mr. Parnell.*)

Question proposed, "That those words be there inserted."

SIR WILLIAM HARCOURT said, he certainly could not accept the Amendment. In the first place, how were they to prove that the offences were agrarian? And, in the second place, he was disposed to assert that many of the offences against which the Bill was directed, in so far as they were offences connected with secret societes, were not agrarian at all. They were perfectly aware of the existence of secret societies, both in Ireland and in America, which had no agrarian object in view at all; their object was the separation of the two countries of England and Ireland. Those secret societies were prepared to carry out their object by outrage, by murder, by arson, by all sorts of crimes. They were not connected with the Land movement at all, but simply used it as a subsidiary means of attaining their end. Their object was revolution; their object was treason; and they were ever ready to commit murder to suit their purposes. If he were asked his opinion as to the murders recently committed in the Phœnix Park, he should say that they were not agrarian, but that they were treasonable murders—murders which were intended as a blow at English government in Ireland. The most dangerous part of these secret societies were not agrarian at all; they were secret societies which had been formed for the sole purpose of attacking and overthrowing English government in Ireland. Therefore, to limit the offences to agrarian offences would be to defeat, he had no hesitation in saying, the main object of the Bill.

MR. LEAMY said, the right hon. and learned Gentleman seemed to forget that, after all, trial by jury was something worth defending; he seemed to forget that trial by jury was the right of Irishmen, and that even in Ireland it was worth fighting for. They had heard Ministers on the Treasury Bench state in that House that the Irish nation was peculiarly free from any crime except agrarian offences. They had been told over and over again from the Treasury Bench that it was only in agrarian offences that juries had ever showed any sympathy with the prisoners. His hon. Friend the Member for Tipperary (Mr. Dillon), on the second reading of the Bill, challenged the Government to produce figures to show that this was not the fact. They were inundated with figures when the Coercion Bill of last year was under consideration, and they had challenged the Government to show by figures that juries had refused to convict in other than agrarian offences. They had not yet got those figures. Surely, if such figures could be produced, they would have been paraded before them over and over again. The Home Secretary had said it would be difficult to decide which were agrarian offences, and which were not; but, by the Bill, they proposed to punish innocent people by levying compensation in case of agrarian crime. The words of the Bill were—

> "Where it appears that any one has been murdered, maimed, or otherwise injured in his person, and that such murder, maiming, or injury is a crime of the character commonly known as agrarian, the Lord Lieutenant may," &c.

How could the Lord Lieutenant, or the Commission which the Lord Lieutenant appointed to investigate into the murder of any person, decide the crime was of an agrarian character, if there was such an immense difficulty as the right hon. and learned Gentleman made out? Everybody knew that the Lord Lieutenant would have very little difficulty in deciding, when he was making out his warrant for the trial, whether the offence was agrarian or not. It seemed to be the intention of the Government that trial by jury was to go by the board altogether. He would tell the right hon. and learned Gentleman that when once the Lord Lieutenant appointed this tribunal of three Judges, every man who was brought before those Judges, and every relative and sympathizer of the accused would believe the tribunal was appointed to convict the man, and not to try him. Cases had occurred in Ireland in which innocent men had been sent to the gallows; and if once the Judges sent an innocent man to the gallows, or into penal servitude, the English Government would look in vain to find in the Irish people any respect for their law. What was now asked was that only agrarian offences should be sent before the new tribunal. He was reading, the other day, in some paper an extract from a speech made last year by the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright); the speech was made in answer to the remarks of some Conservative Member who had advocated increased coercion. The right hon. Gentleman said—

> "We must either go forward, as we proposed to go forward, or we must go backward. . . . . But I say you cannot go back. If you do not go forward, you must govern Ireland with Constabulary and a great Army quartered in that country; and you will be driven by-and-bye to suspend trial by jury, to put an end to the freedom of the Press, and to suppress the right of public meeting."—[3 *Hansard*, cclxi. 101.]

And the right hon. Gentleman added, "I am against all that." It was only 12 months since that speech was delivered; and now, what was the attitude of the right hon. Gentleman when trial by jury was to be suspended, the freedom of the Press destroyed, and the right of public meeting suppressed? The Ministry was composed of men who had done great service to the country, and to the liberties of the English people; and it might very naturally be supposed that if they did establish this new tribunal, they would have shown some sympathy for trial by jury. They did not do anything of the kind. He had hoped that the Amendment would have been accepted; but, he supposed, the only thing they must be prepared for was to see the Bill forced upon them in all its stringency.

MR. GIBSON said, he had not the shadow of a doubt that every man brought before the new tribunal would be fairly and impartially tried. If the Amendment were adopted, it must be obvious to the hon. Member for the City of Cork (Mr. Parnell), who moved the Amendment, in the absence of the hon. Member for Dungarvan (Mr. O'Donnell), that it would exclude many cases from the jurisdiction of the tribunal that the hon. Member himself would not desire to see excluded. It was conceded, nay, it was proclaimed, that there were in Ireland many secret societies, most desperate in their operations; secret societies composed of members whose personality was almost unknown. Everybody admitted that the persons who belonged to those societies were most desperate men; yet, if the Amendment were accepted, such men might not be reached by the Bill. It was alleged that the perpetrators of the Phœnix Park murders belonged to one of these desperate societies. Be it so. There was nothing to indicate that the murders were of an agrarian character. Surely no one could desire that the men who committed that crime, or the men who might hereafter commit such crimes, should be saved by an Amendment which would confine the operations of the Bill to agrarian offences. He agreed with the Home Secretary that it would be a difficult matter in many cases to distinguish between agrarian and other offences. He would, however, go further, and say that, even assuming that it would be always possible to distinguish an agrarian offence from other offences, it would not be desirable to accept the Amendment, because it would exclude from the purview of the Bill many persons who, it was obvious, should be tried by the new tribunal.

MR. JOSEPH COWEN fairly admitted the facts of his right hon. and learned Friend (Mr. Gibson); but by them he arrived at an exactly opposite conclusion. The right hon. and learned Gentleman had said that if the Amendment were accepted, men like those who had taken part in the recent terrible affair in Phœnix Park could not be tried by the new tribunal. The contention was, that such men should be tried by jury; that they were not to be tried by jury was really a reflection upon the country. For such crimes as that they now deeply lamented, the ordinary law provided a remedy.

MR. GIBSON: That might be rendered useless by terrorism.

MR. JOSEPH COWEN said, that no proof of that existed. For years past there had scarcely been a case where a man connected with a treasonable society, and brought to trial in the usual way on reasonable evidence, had not been convicted. They were anxious that this slur should not be cast upon the Irish character, and that offences such as that committed in Phœnix Park should be tried in the ordinary way. They were willing that agrarian crimes should be tried by the new tribunal, because it was admitted there was a distinct sympathy on the part of the people with agrarian offences. He hoped the Government would see their way to agree to the Amendment.

MR. HEALY said, he was glad the hon. Member for Newcastle (Mr. Cowen) had said a good word for Irish juries. The right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson), in casting an inferential slur upon his country, took refuge in the word "terrorism." There was nothing which suited the English people better than the cry of terrorism. It was raised last year when the Coercion Bill was introduced; it was raised now. Did the right hon. and learned Gentleman remember that in the Fenian time—and Fenianism was the greatest organization Ireland had ever seen—scores upon scores of juries sent man after man to gaol and to penal servitude, without having a hair of their heads touched? Could anyone give him a single instance in which a jury had failed in its duty, or had been intimidated in the Fenian days? The Fenian conspiracy was much more powerful and potent than ever the present Agrarian movement had been, and yet it was never said there was such a thing as a terrorism in the country. The word "terrorism" was a very convenient one for the Government, and nothing else. He must say that the position of the Irish Members in fighting this Bill was most unenviable. They knew that the Bill was only one of a series. The Bill of last year produced the one of this year—the Bill of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had provoked the present Bill—and they dreaded what the present Bill would provoke. The Government would not get a single man who was tried by the new tribunal, or any of the accused man's neighbours and friends, to believe that he had been fairly convicted, if convicted he be. What would be the result? Why, that a vendetta would be established in Ireland; and, therefore, what would follow this Bill would be Martial Law. It was inevitable that before three years were over, a more terrible Bill would be introduced in regard to Ireland. In the matter of these miserable Bills, they went from bad to worse; when once they took a step in the fatal descent of coercion, down they must go. He would remind the Committee that, now the Government were removing some of the Irish Judges to England, and that another had resigned, it was possible the Government were going to put their creatures in the place of those Judges——

The CHAIRMAN: The hon. Member is going altogether beyond the limits of the Amendment, which is simply whether the offences to be tried by the new tribunal shall be agrarian offences solely.

Mr. HEALY said, the question was whether agrarian offences should be tried by the tribunal of Judges or not, and he considered that his remarks bore upon that question. Knowing, however, that he would be speedily suspended if he did not bow to the ruling of the Chairman, he would say no more on the subject.

Mr. HOPWOOD said, he could not vote for the Amendment, though he regretted that the clause had found its way into the Bill.

Mr. BIGGAR said, that, in the discussion upon the present Amendment, the question had been raised as to what class of men had been guilty of the Phœnix Park murders. Both the Home Secretary and the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) assumed that the murders were committed by members of secret societies. He had recently had an opportunity of coming into contact with a great many people in Ireland, and he had found that a very general opinion in Ireland was that the murders in question were committed in the interest of the landlords. It was supposed that the perpetrators of the murders were "Emergency men" hired by the landlords to commit the crime, with the object of driving the Government—knowing, as they did, what a feeling the outrage would excite in England—to carry out a system of even more stringent coercion than had prevailed hitherto. He only gave this as an expression of general opinion in Ireland; but he thought that the persons who held such an opinion were quite as much justified in doing so as those who held the opinion that the murders were committed by any other class, either in or out of Ireland, the fact being that the public had not the slightest idea who the guilty parties were.

Mr. GIBSON asked if the hon. Member would venture, in the face of the Committee, to give that as his own opinion?

Mr. BIGGAR said, he had not expressed his own opinion at all. He might, however, say, that in the early part of the Land League agitation, the High Sheriff of County Down did hire, in Downpatrick and in Belfast, persons armed with revolvers to break up a Land League meeting and attack Michael Davitt, John Dillon, and himself.

Mr. P. MARTIN said, he thought the Amendment ought to be conceded, and he would tell the Committee why. There was an attempt to cast a stigma on the Irish people through the medium of the juries. Unfortunately, it was the fact that justice had not always been assured in the case of agrarian offences; but in the case of other offences he did maintain that Irish juries had done their duty as faithfully and as honestly as English juries. He recollected the Prime Minister himself pointing this fact out during the passing of the Coercion Act which was now in force in Ireland. Under circumstances of this kind, therefore, why should they pass a general clause of this character, inflicting a stigma upon Ireland and Irish juries which was totally unnecessary and uncalled for by anything which had occurred? Why should they, by a clause of this kind, abrogate a Constitutional right unless the Government clearly showed that it was necessary they should do so? Except in regard to agrarian offences, he emphatically denied that trial by jury in Ireland had failed. As reference had been made to the deplorable murders in Phœnix Park, he would say, from his knowledge of Irish juries, that, let only the usual legal proof of guilt be adduced against the assassins, any Irish jury, no matter in what part of Ireland it was empannelled, would fearlessly and impartially discharge their duty.

MR. LEA said, that, if he could believe that the Amendment had anything in common with the principle of the Bill, he should support it. As a matter of fact, he did not see that the Amendment was at all in keeping with the principle of the 1st clause. He was rather inclined to strike out altogether the principle of the clause establishing a Commission of Judges instead of trial by jury; and, in regard to what fell from the hon. Member for Wexford (Mr. Healy), he was in favour of striking out the words "treason and treason-felony." He was confident there was a large number of hon. Members on the Ministerial side of the House who were strongly in favour of the omission of those words. He, however, did not consider that the insertion of words signifying that the new tribunal should adjudicate in agrarian offences only was consistent with the general principle of the clause. What would be the effect in the case of the murder of an unpopular magistrate? He believed that with regard to the murders in Phœnix Park, any Irish jury would convict upon reasonable evidence; but if an unpopular magistrate — say, Mr. Clifford Lloyd — were murdered, he doubted whether a jury would convict, even if plenty of evidence was brought forward. He maintained that the murder of Mr. Clifford Lloyd would not necessarily be an agrarian offence; and, therefore, he could not support the present Amendment.

MR. PARNELL said, he thought it was sufficient to have brought the Amendment under the notice of the Committee, and, therefore, he would ask to withdraw it.

Amendment, by leave, *withdrawn.*

COLONEL NOLAN moved, in page 1, line 17, to leave out "treason or treason felony," and insert—

> "Attempting to take the life, injuring or attempting to injure or imagining the death of the Sovereign or the Prince of Wales."

He noticed there were many Amendments bearing upon the question of treason; and he proposed the insertion of the words he had cited, because he did not wish that the Government might excite the sympathy of hon. Members in regard to the protection of the Sovereign. Remembering that attacks had been made, not in Ireland, but in England, against the life of the Sovereign, he was afraid the Government might point to such attacks to excite the sympathy of the Committee. In proposing to insert these words, he did not at all wish it to be supposed that Irish juries would not convict in case of an attack upon the life or person of Her Majesty. He believed they would; and his Amendment was simply meant as a sop to Cerberus. He believed that, originally, treason was confined to acts done in respect of the Sovereign. The Prime Minister had stated, within the last month, that the English Government were secure against any political disturbance in Ireland, and that it was against social, and not political changes, that the present Bill was levelled. It was absolutely necessary, the right hon. Gentleman said, that the Government should take precautions against open war in Ireland. There was a class of treason which he (Colonel Nolan) wished to specially exclude from the Bill, and that was the treason which was undefined. Certain hon. Members of the House of Commons had been accused of treason, but he did not suppose that up to the present moment they knew what it was that was charged against them; they, perhaps, expressed some opinion which was hostile to the Government of the day, and for that they were declared to be suspected of treason. In a letter which appeared in to-day's *Times*, Mr. Forward, the late Mayor of Liverpool, declared that everyone who advocated Home Rule committed treason; but 10 years ago, when the Home Rule agitation was commenced in the town of Liverpool, the present Attorney General for England stated that Home Rule was a perfectly Constitutional object when pursued by legal means. They, therefore, had men like the Mayor of Liverpool, on the one hand, declaring that the advocacy of Home Rule was treasonable; and, on the other hand, they had men like the Attorney General declaring the Home Rule agitation perfectly Constitutional if legally conducted. It had invariably happened that men in Ireland who had engaged in any great political movement had been accused of treason; in fact, it was positively dangerous for a man to entertain any extreme political views in

Ireland. It was necessary they should have some safeguard against the danger, and the safeguard they required was the verdict of 12 of their countrymen. If the alleged treason was so elaborate that 12 men could not discern it, he would say there had been no treason at all. He believed it would be most injudicious to appoint a Commission of Judges to try a case of treason. Judges were appointed by the Sovereign; and it would, perhaps, be remembered that on one occasion a learned Judge said—

> "On whose authority do I sit here? I can't even discuss a question which might possibly affect the Sovereign's position."

He did not think they could make the Judges unbiassed in a case of treason. It would always be in the power of the Government to remove any Judge from the Bench; and the Committee knew full well that all men were influenced by their masters. He did not believe they could get three impartial Judges in a case where politicians were to be tried; and, moreover, he did not think that, however willing Judges might be to crush a politician, they would not care to take the responsibility of hanging a man. The treason he was anxious to exclude from the Bill was undefined treason. A man might advocate Home Rule, and might attend a meeting at which something rash was said by one of the speakers; his attendance at the meeting might be construed into treason. A man might be employed at a newspaper office, and because something which was construed into treason might appear in the paper, he might be accused of treason too. In such cases, he (Colonel Nolan) would like to have not merely the decision of Judges, but the verdict of 12 men selected by the community. The Government would do well to accept his Amendment, for they would find many difficulties in their way removed.

Mr. PARNELL said, the question involved in the Amendment of his hon. and gallant Friend was one of the greatest importance. It was, however, also embodied in the various Amendments standing on the Paper in the names of several hon. Members; and, that being so, he thought it might in all probability be more satisfactorily presented to the Committee upon the Amendment standing in the name of the hon. and learned Member for Christchurch (Mr. Horace Davey). Of course, it must be considered, further on, whether any words of the kind moved by the hon. and gallant Member opposite ought not to be inserted; but, in the meantime, he would suggest the withdrawal of the Amendment before the Committee. And he put it to his hon. and gallant Friend, whether, in view of the great importance of the question, and the fact that an English Member had so far interested himself as to put down an Amendment on the subject, it would not be a matter of courtesy to that Gentleman to leave the matter in his hands?

Colonel NOLAN said, at the suggestion of his hon. Friend the Member for the City of Cork, he should be happy, with the permission of the Committee, to withdraw his Amendment.

Amendment by leave, *withdrawn.*

Mr. HORACE DAVEY said, he was one of those who had on a former occasion expressed the belief that the Government could not do otherwise than introduce a Bill of this character, In saying that, however, he had not pledged himself to all the details of the measure, and was, therefore, perfectly free with regard to the clause now before the Committee. So far as the principle contained in the clause, that for certain offences there should be a suspension of trial by jury, was concerned, he wished to say that he did not himself feel so strongly on that subject as did some of his hon. and hon. and learned Friends. Trial by jury was but the means to an end; and if they could not succeed in detecting and punishing crime by trial by jury, he, for one, was willing to sacrifice this means, and substitute another by which the object in view might be with more certainty attained. But, at the same time, it appeared to him that the inclusion of treason and treason-felony in the clause went beyond the scope of the Bill. Now, he did not intend to lay himself open to a charge, on the part of the right hon. and learned Gentleman the Home Secretary, of not recognizing that treason or treason-felony was a crime. No doubt, treason or treason-felony was a very grave crime; but he believed he should carry with him the assent of the Committee when he said that it was of a totally different character from crimes and offences against person or property. Now, the Preamble of the Bill ran thus—

> "Whereas by reason of the action of secret societies and combinations for illegal purposes in Ireland the operation of the ordinary law has become insufficient for the repression and prevention of crime, and it is expedient to make further provision for that purpose; be it therefore enacted," &c.

That Preamble was based upon certain information and Returns laid before the House; and without entering at that moment upon a discussion as to whether these justified the Preamble of the Bill, he would assume that they did so. But he considered himself justified in saying that the information and the Returns referred to had no bearing whatever on the question of treason or treason-felony. The Committee had been informed by the right hon. Gentleman the Chief Secretary to the Lord Lieutenant, not more than five nights ago, that there had been no trial for treason or treason-felony in Ireland for upwards of 10 years; and, if that were so, it could not be on account of the failure of justice as regarded treason or treason-felony that the present Bill had been introduced. He was, therefore, entitled to say that there had been no failure of justice in Ireland as regarded treason or treason-felony during the last 10 years, and treason or treason-felony were not the grounds on which the right hon. and learned Gentleman the Home Secretary, when he introduced this measure to the House, laid stress. Of course, the Government were not bound by the Returns laid upon the Table of the House as grounds for introducing the Bill; and he believed he was within the recollection of hon. Members in saying that some of the crimes indicated by the right hon. and learned Gentleman as being aimed at by the measure were undetected murders, outrages on farmers, and other offences which were named in the later sub-sections of the clause. But the House heard nothing about treason or treason-felony. It would be sufficient for his purpose, in support of the Amendment he was about to move, merely to state these facts; because, when it was proposed to suspend or take away the right, which was the right of every subject of Her Majesty, of being tried by a jury of their countrymen, it was incumbent upon those who proposed to suspend or take away that right to show the reasons and grounds upon which the necessity of the proposal rested. And he would add that the right of all the subjects of Her Majesty to be tried by a jury of their countrymen on a charge of treason or treason-felony was not, as he conceived, to be taken away or suspended because of the failure of justice as regarded agrarian crimes and outrages, such as those which had shocked the people of that portion of the United Kingdom, at any rate, in the highest degree. But he wished to go further, and point out to the Committee that, although treason or treason-felony was, no doubt, a crime of a very serious character, and recognized as such by the Criminal Law, it was a crime of a distinct kind, and wholly distinct considerations applied to it. He had no intention of wearying the Committee with a definition of the different classes of treason, and even if he were competent he should not attempt such definition. Still, he believed he was right in saying that the Law of Treason in this country was only Judge-made law; that it had been built up on the Statute of Edward III.; and, moreover, that it was a matter of history that in the State Trials of this country juries had often stood up between the criminal and the law made or laid down from the Bench. He believed that the present was the first time in the history of the country that it had been proposed to the Parliament of the United Kingdom to abolish or suspend the right of trial by jury for treason; and notwithstanding the numerous Bills with regard to Ireland which had been brought into that House, called generally Coercion Bills, not one of them, he believed, provided that the right of trial by jury, in case of treason or treason-felony, should be suspended or taken away. That being so, he ventured to point out that by assenting to the clause as it stood they would be creating a very serious precedent. If the Government were to lay before them any grounds or reason for including treason or treason-felony, he would not only give these his consideration, but, in the event of their sufficiently being made out, he should be prepared to vote for the inclusion of treason or treason-felony in the Bill. But he objected to initiating a precedent of this kind, which, in his opinion, was unnecessary, without the strongest reason being given for inducing the House to adopt it. There was another consideration which must be borne in mind. This question must be looked at not only from the English, but also from the Irish point of view ; and he regarded it as a consideration of very great moment that the House should endeavour, as far as it was possible to do so, to gain the confidence of the Irish people for the mode of trial proposed. Of course, they could not expect to be entirely successful in their attempt to do this; but, notwithstanding the opinion expressed by hon. Gentlemen below the Gangway on the opposite side of the House that they would fail altogether in this respect, it was no less incumbent on them to try to gain the confidence of the people of Ireland, and he, for one, did not despair of the result. Still he was bound to point out that if there was one class of offence more than another with regard to the trial of which without a jury they were unlikely to gain the confidence of the Irish people, it was that included under the name of treason or treason-felony. Every consideration which had been urged by hon. Members opposite against the appointment of Special Commission Judges would apply with ten-fold force to offences against the State. It was only right to say that he entertained not the slightest doubt that the Irish Judges would do that which he knew would be done by the English Judges. That was to say, they would preserve absolute impartiality. Their judicial *esprit de corps* would entirely prevent the fear of their acting with partiality or harshness towards any criminals who might be brought before them. His own fear would tend in the opposite direction; and it would be that the Judges of the Special Commission Court would feel so acutely their responsibility in trying prisoners without a jury, that they would scan the evidence brought forward in such a manner as to cause them to acquit the accused in cases where a jury would not do so. He could not, of course, expect everyone to take the same view of this point as himself; but there could be no doubt that in respect of offences against the State, there was an obvious objection to their being tried by Judges appointed by, and who were in a sense officers of, the State; and he should not be surprised, nor could he very much blame public opinion in Ireland if it were to fail to have confidence in the impartiality of a trial of offences against the State by Judges alone, without a jury. He could not say that he should not himself feel some doubt of the kind; but, in saying that, he wished to make it perfectly clear that he was not for one moment casting any slur or any doubt whatsoever on the absolute integrity of the Irish Judges. Still, he could not say that such doubt felt by others under different circumstances might not be reasonably entertained, and, therefore, it seemed to him most important that they should do all they could to secure the confidence of public opinion in Ireland for the tribunal which it was proposed to establish. He could not help feeling a kind of sentimental interest in the Amendment he was about to lay before the Committee, when he recollected that he had the honour of belonging to a Profession the members of which had frequently obtained the acquittal of political prisoners by invoking the aid of the jury to override judicial interpretation of the law ; and this was an additional reason for his regret that a suspension of trial by jury in such cases should now be proposed. No doubt, if a case could be made out for it he should be prepared to vote for that proposal; but, so far as his present information went, no case had been established, and he must, therefore, propose the omission of sub-section (*a*). He was not perfectly sure that this was the proper place in the Bill for exempting treason or treason-felony from the provison of not being tried by jury; but, at any rate, he was not wrong in saying that the Special Commission Court was only to be issued with a view to the suspension of trial by jury. Section 1 did not, in his opinion, very clearly express its object in this respect. Be that as it might, he saw no other place at which his Amendment could with more propriety be introduced; but if the sub-section in question technically related to an offence with respect to which a Special Commission might be issued, and not to that for which trial by jury might be suspended, then he asked Her Majesty's Government to point out to him where an Amendment could be better moved for securing the object he had in view. At any rate, he considered the present a fair place for raising a discussion on this important point, because, if treason or treason-felony were omitted from the list of offences with respect to which a Special Commission might be issued, it would by consequence be removed from amongst those not to be tried by jury. He could not help thinking that a large number of hon. Members who were supporters of the Government were desirous that treason or treasury-felony should be so removed, inasmuch as, for the reasons he had given, there was no ground for including it amongst the offences triable by Judges without a jury. He begged to move the Amendment standing in his name.

Amendment proposed, in page 1, line 17, to leave out the words "treason or treason felony."

Question proposed, "That the words proposed to be left out stand part of the Clause."—(*Mr. Horace Davey.*)

SIR WILLIAM HARCOURT said, he was afraid Her Majesty's Government could not look at this question in the same way as his hon. and learned Friend the Member for Christchurch. It was quite true, as his hon. and learned Friend had pointed out, that some distinguished men at the Bar had been the means of saving persons charged with treason; but that was equally true with regard to other crimes than treason. Lord Erskine once said to a person, who observed that his Lordship must often have won verdicts that he ought to have lost—"Yes; but then I have lost many verdicts which I ought to have won, and so, on the average, justice was done." The presumption was, therefore, that a fair average in the case of verdicts was arrived at. There was another argument of his hon. and learned Friend which had not convinced him. He referred to the statement that treason was a totally different crime from every other crime, and that the law relating to it was Judge-made law. But, after all, the Statute of Treason was well known; and, although the law might have interpreted the Statute of Edward III., he could tell his hon. and learned Friend of a crime which was a Judge-made crime, which rested on no Statute, and was created by Judge-made law and interpreted by it. That was the crime of murder; and, therefore, his hon. and learned Friend's argument was an *à fortiori* argument against including murder in the clause. The next statement was that he had no recollection that treason or treason-felony had been included in any of the exceptional legislative measures which had been passed with reference to Ireland. But surely his hon. and learned Friend must have forgotten the Act for which he voted last year, which suspended the Habeas Corpus Act, and not only provided for no trial of the crime by jury, but dispensed with trial altogether. The Act of last year certainly included treason and treason-felony, and treated it not as a different class of crime, but as a crime similar to the others specified, and requiring the same remedy. He should, therefore, like to ask his hon. and learned Friend what reasons there were for including the crime of treason in the Bill of last year, supported, as he believed it was, by himself, which did not apply in the present instance? If the House, by an overwhelming majority, decided last year to apply exceptional legislation to the state of affairs existing in Ireland, they must have decided the question whether or not it was necessary to distinguish between treason and other crimes. The fact was, they decided the question in the negative, and enacted accordingly. He could not, therefore, at all agree with his hon. and learned Friend that there was something exceptional in the character of treason, as a crime, that should lead to its being dealt with differently from others; on the contrary, he thought that almost all persons were in favour of its being dealt with in a similar manner. With all respect for his hon. and learned Friend's opinion, that the present was a fair time for raising this question, he was bound to confess that he regarded it as a peculiarly unfortunate moment for anybody, especially for one who so deservedly occupied a high position, both in and out of that House, to point out that the crime of treason differed in its character from other crimes; that it was a crime which might be practised with more impunity than others, and that the law should deal with it less severely. For his own part, he had never known a time when it was more necessary to impress upon the Irish people that the crime of treason was the crime which lay at the basis of disorganization in Ireland. This Bill was directed against secret societies. But the secret societies of the day were not mainly agrarian in their character; and the Land League certainly avowed itself as an open and not a secret society. He would not allude to the statements which had been made at various times with regard to the Land League; but would observe that it was not as a secret society that it was mainly attacked, but on account of its organizing resistance to the law. It was, however, said that the Land League fed and increased upon the pabulum grown by secret societies, which avowed that their object was solely treasonable. It was his duty to know as much as could be known of these secret societies and their objects, which were to attack the authority of the Crown, and the very existence of the Imperial Government. Now, the Bill being directed against these secret societies, it was a contradiction in terms to say that it ought not to include treason or treason-felony. The Bill was intended to prevent the carrying out of treasonable ends. Whatever were the various forms and names under which Fenianism existed, it had for its object the overthrow of the English government in Ireland, by force—that was to say, by outrage, by murder, by arson, and by every method which its secret agents could employ for that purpose. That being so, if it was intended to reach these societies at all, treason must be included in the Bill, because, as had been shown without contradiction, their aim was the overthrow of British government in Ireland. They had treason for their object; they had murder for their means; and let no man for a moment believe that it was not so. In the pursuit of their object, these secret societies were ready to lay hold of the Land League, or anything else to serve their main purpose. If these societies existed for these objects, and pursued them by the means described, he could not but think that hon. Members, in refusing the powers of the clause with regard to treason and treason-felony, were not fully alive to the great mischief which undermined and destroyed the cause of law and order in Ireland. Again, if the Government, having put into the Bill the words relating to treason and treason-felony, were to take them out, would it not be an advertisement to the people of Ireland that treason was a crime which that House and Her Majesty's Government regarded with less disfavour than others, and to which they were willing to extend an immunity not given to other offences? Another argument of his hon. and learned Friend had struck him very much. He said, whatever might be the case from the English point of view, the Irish people, at any rate, would not regard treason with the same eyes as they turned towards other offences; and he said the Irish Judges would be unjustly suspected of dealing partially with treason, and that because the sympathies of the Irish people would be more against them on the crime of treason than in the case of any other offence. Now, that might be very true; but he (Sir William Harcourt) contended that the feeling of the Irish people would still more prevent conviction in the case of trial by jury. What, then, was the conclusion to which they were driven by his hon. and learned Friend? They were to strike out of the Bill the sub-section relating to the trial by Judges of treason and treason-felony, because of the sympathies of the Irish people, and allow the crime to be dealt with by a jury which, for the same reason, would be less likely to convict. If his hon. and learned Friend had been able to say that treason was an offence against which there was a strong feeling in Ireland; that it was one for which, on the necessary evidence being forthcoming, juries were certain to convict; and that it might, with confidence, be placed in the category of cases in which an impartial trial could be had, the Amendment before the Committee would have stood in a very different position. But would any man say that that was the case with reference to treason? Was it not more certain in the case of treason, than in the case of other offences, that there would be someone on the jury whose Fenian sympathies would render its successful prosecution an almost absolute impossibility? Her Majesty's Government had to form as well as they could, and upon their responsibility as a Government, their view of the existing state of things in Ireland. For his own part, if he could see that indictment for treason could be brought before a jury in Ireland with the smallest chance of success, he would assent to the proposal of his hon. and learned Friend. But, as an honest man, he could not say there was any such chance. If any man could say that a jury was more likely to convict for treason than for the other offences, then he had given a reason for omitting treason from this Bill; but if he could not honestly say that a man was more likely to be convicted by a jury for treason than for any other of the offences named, he could not reasonably ask Her Majesty's Government to strike out the sub-section in question. He had arrived at the conclusion, after very careful consideration, that the secret societies in Ireland were aimed mainly at treason, or, rather, he might say, at treason only. It was well known that the Fenians in their various organizations cared not one straw for the question of Land Tenure, and that if this were settled, they would still aim at the treasonable object they had in view. If, in the present state of society in Ireland, the Amendment of his hon. and learned Friend were adopted, the Committee would be saying, in effect, that they would give to treason, and to treason alone, an immunity which they did not extend to other classes of crime; and, therefore, so far as he was able to understand the present condition of Irish society, he could not recommend the Committee to accept the proposed Amendment.

MR. BRYCE said, he had listened in vain, during the speech of the right hon. and learned Gentleman the Home Secretary, for any answer to the principal argument which had been advanced by his hon. and learned Friend the Member for Christchurch (Mr. Horace Davey) in favour of the Amendment before the Committee. The right hon. and learned Gentleman did not seem to recollect that the chief point of his hon. and learned Friend was that there had been no trials for treason or treason-felony in Ireland during the last 10 years, and that, therefore, no case had been made out for including the crime in the special and exceptional provisions of this Bill; and, instead of dealing with facts, the right hon. Gentleman had been content to deal in speculation and surmise, and had failed to show that there was any presently pressing reason for including in Clause 1 of the Bill the crime of treason or treason-felony. The right hon. Gentleman gave it as his opinion that with a jury there would be little chance of a conviction for treason in Ireland, although he did not go so far as to say that no conviction would be obtained. Now, as far as the calendar of offences went, the crime in question would seem to have vanished from Ireland altogether, because, since the trials which occurred 10 years ago, there had been no other trials for treason. When such a Bill as this was brought forward, which proposed to enact things which the Chancellor of the Duchy of Lancaster (Mr. John Bright) a year ago looked upon as highly improbable, it ought surely to be based on a plain and crying necessity. Surely the Preamble of the Bill must be taken to apply to those crimes which, although the offenders had been discovered, had not been dealt with by obtaining a conviction. But in the case of a crime which had not been dealt with because it had not arisen, they were certainly entitled to say that it was not within the Preamble of the Bill. With the permission of the Committee, he wished to say a few words upon another aspect of the speech of the Home Secretary, who had not fairly represented the arguments of his hon. and learned Friend the Member for Christchurch. When the right hon. and learned Gentleman was challenged to indicate any precedent for such a clause as the present, he answered by saying that the Coercion Act of last year suspended the Habeas Corpus Act. Now, what his hon. and learned Friend asked for was some case in which a man had been tried for the crime of treason or treason-felony without a jury; and the reply given to him had reference to a measure which did not provide for trial or sentence at all, but merely allowed persons suspected of certain offences to be committed to prison for a short period. He (Mr. Bryce) said there was no parallel between the case referred to and the present case, because, under this Bill, a person might be sentenced to death. They all knew that the punishment of death might be inflicted for the crime of treason; and there could be no better illustration of the weakness of the Government position in this matter than the fact that the Home Secretary was compelled to take refuge for a precedent in a Bill altogether different from the present Bill, which enacted that persons, as a precautionary measure, might be imprisoned on suspicion, and without trial. Again, the right hon. Gentleman the Home Secretary said that the effect of adopting the Amendment would be to show that the House of Commons and the Government regarded treason and treason-felony with less disfavour than other crimes; and he asked how the

Government could defend themselves if they were to strike out the sub-section, after having once inserted it in the Bill? But he (Mr. Bryce) wished to point out to the right hon. and learned Gentleman that neither the supporters of the Amendment, nor the Committee, as a whole, were concerned to defend the Government position; and if the country should blame the Government for want of forethought and discrimination in including crimes which ought not to have been in the clause at all, it was for them to explain their reasons, and to show that this crime stood on the same footing as the others, so that the country might see the reason which justified the House in dispensing with its being tried by jury. No such inference as the right hon. and learned Gentleman had indicated could be drawn from the fact of the Government accepting the Amendment of his hon. and learned Friend, and he still hoped that they would be able to give way in this matter. Again, the right hon. and learned Gentleman had said much of secret societies in Ireland, and had used the rhetorical gifts which he possessed in so eminent degree in holding those societies up to the reprobation of the Committee. He (Mr. Bryce) would be the last man in that House to say anything in favour of secret societies, in Ireland especially, as they were only removed by about a month from one of the most horrible crimes that had been committed during the present century; but the right hon. and learned Gentleman had not attempted to argue that the murders of Lord Ardilaun's bailiffs, Lord Mountmorris, and Mrs. Smythe had anything to do with those treasonable secret societies in Ireland, which he was denouncing to the Committee. The crime which had disgraced Ireland for the last three years was probably largely due to secret societies, but not to such political societies as the Home Secretary referred to. He did not mean to say that even these political societies were not objects of so much suspicion that they should be put down in every way; but he said they had not been guilty of any large part of the mischief lately committed in Ireland, and, therefore, it was not against them alone that the Committee was called upon to legislate in this Bill. The right hon. and learned Gentleman also spoke strongly of the connection which existed between treason and murder; and he pointed out that the object of these societies was the overthrow of the Imperial Government in Ireland, and that the means employed were murder, attempts to kill, arson, and attacks upon dwelling-houses. If the right hon. and learned Gentleman had looked to the later sub-sections of this clause, he would have seen that all these criminal means were offences which were provided against, and which it was proposed to exempt from trial by jury, and to hand over to a Commission of Judges; and he would have seen, therefore, that when any secret society pursued its objects, whether with a view to murder or to other forms of crime, such as attacks upon the person, or arson, that society came within the provisions of this clause, and it was not necessary to proceed against it under this 1st section, because it would be dealt with in the later sub-sections. Therefore, if treason and treason-felony were omitted, it would still be equally possible to proceed against any secret society which should endeavour to obtain and compass its ends by any of these criminal methods. He did not know whether the right hon. and learned Gentleman would reply that the words of these later sub-sections were not sufficiently elastic; but, if he did, there was still a sufficient remedy. If a secret society endeavoured to obtain its ends by murder or other crimes, and it was feared that it would not fall within the words of this section as it stood now, the easy remedy would be to introduce words which would cover conspiracy for such criminal purpose. That course, he believed, would secure the approval of the Committee, because it would be strictly within the scope of the Bill, and would draw the distinction which it was desirable to draw between political offences and what he might call ordinary crimes. He ventured to suggest that there would be no difficulty amongst those who felt an objection to the clause as it stood in assenting to words which would cover offences of that nature. He thought the right hon. and learned Gentleman did not quite appreciate the distinction which the hon. and learned Member for Christchurch (Mr. Horace Davey) had drawn between political offences, such as treason, and other crimes. The hon. and learned Member certainly had not used a single word which could be taken as extenuating treason, or as implying that treason was a crime to be dealt with leniently. On the contrary, he admitted that it was one of the gravest offences that could be committed, and it ought to be dealt with with all severity. But he also drew a distinction—and that distinction he would press again on the Committee—between the moral feeling with which treason accompanied by crime was regarded and treason unaccompanied by crime. There was a time when Ireland was so grossly misgoverned that public-spirited Irishmen could hardly be anything else but conspirators; but that time had passed away. There were times when Ireland was as grossly misgoverned as Southern Italy had been within the last 30 years. They had sympathized with Italy, and in those times it would have been their duty to sympathize with Ireland; but those times had now passed away, and Ireland enjoyed every Constitutional advantage which England enjoyed, and, therefore, all justification for agitation by unconstitutional means had been entirely withdrawn, and he should be the last person to uphold the conduct of a man who would employ any unconstitutional means to effect political objects in Ireland. But they now had to deal with a state of feeling which came down from those times, which surrounded persons who entered into treasonable practices with a certain amount of sympathy and admiration, and which most unhappily went so far as to extend some sympathy even to those who conducted political agitation by means of private crime and outrage. Their object ought to be to destroy that sympathy, and to draw a very sharp line between private crimes, such as murder and violence against the person, and purely political offences such as treason. It had been too much the habit of Englishmen, in dealing with Ireland, to treat those kinds of crime as being of the same character. Everyone must recognize that a person who was guilty of murder, or who conspired to commit murder or acts of violence against individuals, was morally deserving of reprobation and horror, which was not necessarily felt for a person who conspired in any other way; and that was the point of his hon. and learned Friend's argument, when he said that it was an unfortunate proceeding to endeavour to maintain the association which existed in the minds of the Irish people between murder and treason by dealing with them on the same lines. He ventured to think that there was another part of the hon. and learned Member's argument which was not appreciated by the Home Secretary. The hon. and learned Member pointed out that treason was an offence which was at one time a very serious matter in England, where it was necessary for those who valued political freedom to trust to juries in regard to offences of a political character. Those difficulties had long passed away in England, but they could not be sure that they might not come back again; and he thought it was unfortunate, except in cases of great necessity, to set a precedent for depriving persons accused of treason of the right of trial by jury, because there might be times in England when that right would be very valuable; and it would be very unfortunate that any Government should be able to appeal to a precedent of similar legislation for Ireland. It was a further advantage to have trial by jury in regard to offences of this kind, because, when a Judge tried such cases with the assistance of a jury, he was obliged, in his charge to the jury, to lay down definitely and specifically the nature of the crime. He was obliged to give his view of the law in a form which could be afterwards challenged; but when a Judge tried facts as well as law, he was apt to mix up the facts and the law together, and to give a less precise and clear definition of the law and of the facts to which the law was afterwards to be applied. Therefore, he held that the Law of Treason would be much more safely maintained if they continued the system of trial by jury, instead of adopting trial by Judges. He was most anxious that those who objected to this clause should not be supposed to extenuate treason or to seek to diminish the power of the Executive to deal with treason. They wished to put every legitimate power in the hands of the Executive, and did not extend any sympathy to that offence; but to put it in the same line as other crimes would have the effect of extending to those crimes a great deal of the sympathy that Irish people had, unfortunately, given to acts of treason. He did not mean to say that the insertion of treason in this clause might not have been justified by extreme necessity. Secret treasonable societies might become very dangerous, and it might be so difficult to get convictions from juries that it would be necessary to deal with them by this new mechanism, and in that case he should be willing to arm the Government with these extraordinary powers; but nothing less than a necessity of that kind could justify this proposal, and no cause approaching to such necessity had been shown by the Government.

Mr. GREGORY said, the Committee were now dealing with a measure consequent upon the failure in Ireland of the system of trial by jury, and the necessity of the Bill now before the Committee had been practically admitted. The hon. and learned Member (Mr. Bryce) had not attempted to deny that necessity, and was prepared to support the Bill. But the question now being considered was whether the operation of the Bill was to be extended to the highest crime known to the law; and the hon. and learned Member had based his contention against that upon the strong sympathy which existed in the minds of the Irish people with treason. If the reason for this Bill was the sympathy of the Irish jurymen with agrarian outrage, did not that apply much more strongly to the question now under consideration when the hon. and learned Member stated that Irishmen sympathized with treason? If they were not to expect convictions for agrarian outrages, how could they, with that feeling operating in the minds of the Irish people, expect convictions upon crimes to which this clause applied? If any crime was to be included in this Bill; if they were to make provision for the trial of any crime whatever by this special tribunal, the crime of treason-felony was one which should especially be provided for. The hon. and learned Member opposite (Mr. Bryce) had stated that when a Judge tried a case of treason or treason-felony with a jury, he was bound to lay down and define the crime distinctly and clearly to the jury. That might be so; but would not the same influence operate—in the case of such a tribunal as this Bill proposed to constitute—in the minds of three Judges? These Judges, it must be remembered, would be subject to appeal, and if they did not decide according to the law, and did not bear the law in their minds in their decisions, they would be liable to the supervision of the Court of Appeal; and Judges, having that responsibility and that appeal before them, would be particularly careful to have regard to the law under which they made their decisions. It appeared to him that, even on the showing of the hon. Member, this was peculiarly one of the cases which should come under this Bill; and that the Bill would be most imperfect if it did not deal with treason and treason-felony.

Mr. NORWOOD said, he had listened to the speech of the hon. and learned Member for Christchurch (Mr. Horace Davey) with all the attention due to so distinguished a Lawyer; but the hon. and learned Member had entirely failed to convince him of the justice or the necessity of the Amendment which he proposed. The hon. and learned Member seemed either to have entirely ignored or scarcely considered one of the principal objects the Government had in view—namely, to strike at the secret societies and the American fillibusterers, who were, no doubt, at the bottom of these outrages in Ireland. Of all the crimes which were to be dealt with by this provision, the crime which the hon. and learned Member proposed to omit was the one at which the Bill was specially designed to strike. What was the object of these secret societies? Unquestionably, to destroy the authority of the Queen. How was treason carried out? When it obtained a certain amount of strength it was carried out by force of arms. He was very much surprised to hear from the hon. and learned Gentleman (Mr. Horace Davey) that the Law of Treason was Judge-made law. He did not know very much about the law himself; but in the Statute 11 & 12 *Vict.* c. 12, he found treason-felony clearly described. [An hon. Member: Treason, not treason-felony.] He certainly understood the hon. and learned Member to state that treason and treason-felony were not on the Statutes; but the section of the Statute he had mentioned laid down most carefully what constituted treason and treason-felony, and described as an attempt to compass, by conspiracy or other means, acts which would derogate from the dignity or authority of the Crown. Treason-felony was, in fact, any step which would invalidate the power of Her Majesty in her own Dominions. The arguments of the hon. and learned Member for the Tower Hamlets (Mr. Bryce) and other hon. Members, during the discussion, had tended to minimize the guilt attached to political crimes; but he could draw no such distinction between moral and political crimes. Political crimes were generally compassed by the very worst means, and eventuated in outrages of the most serious character.

Mr. BRYCE, interrupting, said, he had drawn the sharpest distinction between political crime, unaccompanied by murder, and political crime which was so accompanied; and he had said that while both offences required severe punishment, there was a difference in the feeling with which people regarded, and must necessarily regard, the two kinds of offence respectively.

Mr. NORWOOD said, he accepted the explanation of the hon. Member, but they were now acting under very special circumstances. What was the cause of this legislation? Was it not that a state of things existed in the unhappy Sister Country which compelled the Government to resort to special and temporary measures? He could not understand the hon. and learned Member sheltering himself behind these nicely-drawn sophistries. They were all very well for the debating-room, but totally inappropriate under these circumstances; and, in his opinion, it was the duty of the Government to stand by their guns on this occasion. The Committee had a very special and difficult task before them; and it was their duty to be stern in their determination to put down the disturbances which were occurring in Ireland. He believed that if this step had been taken two years ago much outrage and murder might have been stopped; and he hoped the Government would not listen to the representations of hon. and learned Members below the Gangway. If this Bill was justified at all, the Government must be strong and determined to obtain powers to meet all the difficulties of the case; and the Bill should be passed by the Committee with determination, and carried out by the Government with the firm intention of stamping out outrage and crime.

Mr. JOSEPH COWEN expressed his surprise at the statement of the Home Secretary in answer to the hon. and learned Member for Christchurch (Mr. Horace Davey). The right hon. and learned Gentleman had gone upon the assumption that persons accused of treason or treason-felony had not been convicted by jurors; but the whole facts went to prove the contrary. The Home Secretary must be imperfectly informed upon the history of Ireland if he entertained that opinion. During the last 15 or 16 years there had been a strong political conspiracy, known as the Fenian Brotherhood, which was probably the most formidable political organization which had existed in Ireland since the Rebellion of 1798; 400 or 500 people were tried for complicity in that insurrection, and he believed that in no single instance had it been impossible to get a man tried legitimately and fairly. Some of these persons were sentenced to death, and some to penal servitude; and there was not a single person seriously accused of complicity in the Fenian organization against whom a verdict of "Guilty" was not passed. The contention of the hon. and learned Member for Christchurch was that that was really the state of feeling in Ireland. The ordinary law should be allowed to operate, and men charged with treasonable practices ought to be tried in the ordinary way, and not by the exceptional method now proposed. Under the old plan verdicts had been obtained against persons accused of such crimes, and there was no reason for this exceptional system being adopted. He admitted that in some cases verdicts could not be obtained in regard to agrarian offences, because the people were in general sympathy with the offenders; but that difficulty did not apply to treason, and he cited the Fenian insurrection in justification of that statement. After the Rebellion in Ireland in 1848, Mr. John Mitchel and Mr. Smith O'Brien and his Colleagues were tried and found guilty under the old system; and if the law was good in those instances, during a violent political convulsion, it would be sufficiently strong now if there was sufficient evidence upon which to convict men. He supposed the Committee did not wish to convict men without sufficient evidence, and, judging from past experience, there was no justification for altering the law. That was the whole contention of the hon. and learned Member for Christchurch, who desired to strike out treason and treason-felony, because there was no evidence that men accused of such crimes would not have a fair trial and get a just verdict. The hon.

Member for Hull (Mr. Norwood) had protested against the Committee speaking tenderly of political offences; but he thought the hon. Member would admit, on consideration, that in all civilized countries political offences had always been dealt with more leniently than offences against the person, committed for private objects, or because of some vindictive feeling. A man who engaged in a political movement did so because he believed it to be in the interests of the State, and all law-givers had recognized that distinction. The whole Constitution of England rested upon treason. The men now ruling in France, with whom the Prime Minister had just stated the Government were in intimate alliance, were all traitors in the estimation of another section of the people. He did not say that the same circumstances existed in Ireland, because the Irish people had civil powers and political rights; but the great objection to including treason and treason-felony in this Bill was that, whether they liked it or not, it was the fact in Ireland that there was a feeling of considerable distrust of the Irish Judges on political grounds. On other grounds, their fairness and impartiality were not questioned, but on political grounds they were distrusted. That distrust might be unjust, but that feeling did exist in Ireland; and people distrusted the Judges on political grounds, because in most cases the Judges had been politicians, and probably acted upon those Party feelings through which they had risen to eminence. There lay the great objection to Judges—the strong powerful objection to Irish Judges, who had obtained their positions in consequence of Party services—being called upon to adjudicate without juries in cases where their Party predilections ran counter to popular feeling. The Home Secretary had spoken strongly about secret societies, and said this Bill was to put them down, and he wished them to believe that secret societies were exclusively of a political character. That statement was entirely contrary to the facts. The most dangerous form of secret societies in Ireland was the agrarian societies—the Ribbonmen, and the illegal organizations which existed in special districts for special objects—and it was contrary to the facts to say that secret societies were entirely political. There was already a prejudice against the Judges on political grounds, and that feeling would be intensified if this most obnoxious duty was conferred upon them. It was a duty which they did not wish to discharge, because they knew their shaky influence would be further diminished. There had been numerous instances in which great political convulsions had arisen, in which one Party having gained the ascendant had sent Hanging Commissions through the country. There was one memorable instance—the Insurrection in the West of England, when Judge Jeffreys was sent down to try political offenders, and what was the result? The reputation of the English Bench for centuries afterwards was discredited. Another instance could be cited from the history of France within the last few years. All politicians had been astonished at the strong feeling there was against the magistrates and Judges under the Empire on account of political partnership. M. Thiers and others had stated that the strongest feeling had existed against the Judges; and there was the testimony of distinguished statesmen in France that nothing had done more to break down the political machinery in France than the fact that the Judges had been unscrupulous politicians. He believed that the proposal of the Government, with respect to men whom they regarded as their political foes, would do more to sow the seeds of future disturbance in Ireland than any other measure that could be devised.

Mr. WILLIS said, he never heard the historical references of the hon. Member for Newcastle (Mr. J. Cowen) without thinking how little useful and how misleading they were. They were living a long way from the time of Judge Jeffreys; and in Ireland they had a body of Judges whose learning, impartiality, and wisdom were equal to the Judges who presided in the Courts of England. And he could only suppose that the references made by the hon. Member were designed to prevent this Bill having a fair operation in Ireland; and he was surprised to hear that hon. Member make statements and prophecies which were adapted to secure their own fulfilment. He very much wished that the hon. Member, and other hon. Members, would assist the Government in obtaining obedience to the law. He was not likely to favour coercive measures; but if there was any reason to introduce this Bill at all, it was the necessity for dealing with men who were sent out to commit crimes like that in the Phœnix Park; and he could not understand the hon. and learned Member for Christchurch (Mr. Horace Davey) agreeing to allow Judges to try murder, and yet wishing to leave jurors to determine the nature and character of conspiracies from which these crimes sprang. He understood the hon. and learned Member to say that there was little treason in Ireland, and that the Bill would have little operation; but, under Clause 11, searches were to be made for arms, ammunition, papers, documents, and instruments, and he believed a great many associations would be discovered which were treasonable in their designs and purposes; and did any hon. Member think it would be right to leave the Judges to try the men who committed murders, but to leave the jurors, in the present state of feeling in Ireland, to determine the nice points involved in the consideration of what was graver than a murder—namely, the concoction of arrangements for effecting those murders? Treason was one of the gravest offences a man could commit; and instead of its being undefined, there was no offence under our law which was so clearly defined as that of high treason. It was true that there had been two interpretations put by the Judges upon the Statute of Edward III., which the words did not justify; but those interpretations had received the sanction of Parliament, and had been embodied in Acts of Parliament, and there was no reason, therefore, why the Government should, on the ground of the indefinite nature of the offence, separate high treason from other offences. He would rather leave Irish jurors to try the Phœnix Park murderers, than to try cases of treason, such as he believed existed in Ireland, designed with the object of intimidating both Houses of Parliament. and compelling them to change their counsels. He thought that offence should be dealt with by Judges who would act fairly and impartially, and in a manner that could not be paralleled in any other country.

Mr. T. P. O'CONNOR regarded the Amendment which was now being considered as really the turning-point of the Bill, for the action of the Ministry in reference to this Amendment would show the sincerity or insincerity of the views with which this Bill had been brought forward. This Bill had been brought forward on the ground that it was intended to put down crime; and when the promoters of this Bill had brought it before the House, they led the House clearly to believe that the crime they wanted to put down was agrarian crime, and not political crime. The hon. and learned Member opposite (Mr. Willis) had asked the Committee to place faith in the impartiality of the Irish Judges. The hon. and learned Member might as well ask them to have faith in the independence of lawyers in want of promotion. He did not want to embarrass this discussion by remarks upon the Irish Judges of an uncomplimentary character; but there was no candid man who knew anything about the affairs of Ireland who would not say that the Party to which he had the honour to belong and the Irish Judges were political opponents. His Party wished to challenge the state of political affairs in Ireland; they wished to change the *status quo* in Ireland and the system of government; and the Government had admitted that object to be within the domain of practical politics. But the Irish Judges were men whose whole interest, prejudices, and passions were calculated to perpetuate the *status quo* which that Party wished to change. The Judges were their political opponents, and were quite as much politicians as they were. Hon. Members, seduced by the rhetoric of the Home Secretary, had gone upon the wrong scent on this question. The hon. and learned Member opposite (Mr. Willis) had asked, were not the men who incited to murder as bad as the men who committed the murder? Certainly they were; but did not murder include conspiracy to murder, and could not men who conspired to murder be tried under the Murder Clause of this Bill, instead of under a Treason-Felony Clause? What was the meaning of this clause? What had been the events of the last six or 12 months in Ireland? They had lived and learned in that time. The Prime Minister had, according to a statement by an hon. Member of that House, "bargained with treason, and trafficked with violence." If the Prime Minister had bargained with treason, he was guilty of treason-felony and treasonable practices. What would be the fate of the right hon. Gentleman if he were to be tried by the hon. Member who had made that statement? The position of the Irish Members was this. They did not want every word and every action from a man in Ireland to be subject to a special political tribunal. They did not defend murders. If the murderers could be caught and convicted upon fair evidence, and not by bribery, let the supreme sentence of the law be passed upon them. But the single words and acts of every man in Ireland ought not to be placed at the absolute mercy of a political tribunal. What would be the consequence of this provision? Four of his Friends had been put into prison for alleged treasonable practices; there never had been, and there never could be, a single word of evidence brought forward to prove that his hon. Friends were, either by commission or omission, by word, or act, or thought, guilty of treasonable practices. The right hon. and learned Gentleman opposite (the Attorney General for Ireland) had stated that those hon. Members were "steeped to the lips in treason." Irish Members could afford to smile at that dictum of the right hon. and learned Gentleman, so long as he remained Attorney General for Ireland; but suppose he should be one of the Judges appointed under this Act, that dictum, which only incited a smile now in that House, would be a dictum to consign to penal servitude any gentleman who did not happen to agree with him as to what was politically right or wrong in Ireland. If his hon. Friends were steeped to the lips in treason, the Prime Minister had no right to have negotiations with them. If the hon. Members were steeped to the lips in treason, the hon. Member for Poole (Mr. Schreiber), who had been addressing his enthusiastic supporters on the previous day, would have been right in saying that the Prime Minister was bargaining with treason. A few nights ago the late Home Secretary (Sir R. Assheton Cross) had denounced as traitors everybody who had had any reserve in supporting this Bill. That would include nearly every Radical Member opposite; so that if the late Home Secretary happened to be made an Irish Judge, and if the hon. and learned Member for Christchurch (Mr. Horace Davey) were brought before him, and it could be proved that he proposed an Amendment like this, or something of a similar character in Ireland, he should be sorry to lay any insurance on the life or liberty of the hon. and learned Member. There was no form of political action in times of political anxiety which could not be brought before the Judges under the large and vague terms, treason and treason-felony. It was a matter of some surprise that, in the face of the large array of names on the back of this Bill, the conduct of the Bill was entirely abandoned to the Home Secretary; and he thought it augured ill for liberty, justice, and statesman-like qualities if the Bill was left solely to the charge of the right hon. and learned Gentleman. He did not want to say anything personally offensive of the Home Secretary; but he must express his opinion that the whole political thought, and intention, and bent of the right hon. and learned Gentleman's mind would fit him far better to be the Home Secretary of an ultra-Conservative Administration rather than of a Liberal Government. In all the debates in that House, when great principles of Liberalism on the one side, and Conservatism on the other, had been at stake, especially with regard to Ireland, the right hon. and learned Gentleman, acting, no doubt, in accordance with his own genuine convictions, had taken the Conservative as opposed to the Liberal view of the question. He wished to know whether the Prime Minister did or did not desire Ireland to be tranquillized? If he wished Ireland to be tranquillized, then he must deal with this question in a spirit of justice and reason; but he would not be dealing with Ireland in that spirit if he put the Constitutional agitator, and not the murderer or assassin, at the mercy of a special tribunal. This clause was directed against the Constitutional agitator. What was the Constitutional agitator? Murderers, assassins, and treasonable conspirators had many dangers to face, and the men who entered into conspiracies were firm and determined, and willing to take the risks of their enterprize; but the whole history of mankind, especially contemporaneous history, taught this great lesson, that the strongest despotism was not omnipotent against the assassin or conspirator? How was it that men had not been tried for treason in Ireland during the last 10 or 15 years? Why had not treason taken the form of open revolt during that time? Because the action of the hon. Member for the City of Cork (Mr. Parnell) had given the Irish people some confidence in the services to be rendered by Constitutional agitation on the floor of that House. This clause would drive every Constitutional agitator to secret conspiracy; and he trembled to think what would be the result in Ireland if the people were to be once again deprived of their Constitutional Leaders—once again to lose faith in justice being obtained from that House—and he laid upon the Head of the Government the responsibility for any such evil consequences if they persisted in the disastrous policy which was contained in this Bill.

Mr. GIBSON said, he could not but think there were many hon. Members who supported the Amendment now before the Committee, who had not had before their minds either the state of Ireland or the Law of Treason. The hon. Member who had just spoken had said this Amendment was the turning-point of the Bill. He himself did not exactly say that; but, unquestionably, if those who supported the Amendment could induce the Government to adopt it, that would certainly indicate a considerable weakness in the original structure of the Bill, and an absence of determination to stand by it in Committee. In that sense the Amendment would indicate the turning-point of the Bill; but he did not think, in any other sense, the Amendment could be so described. Although it was a matter of considerable importance, it might be looked at temperately and quietly, on the admitted facts of the case. It must be assumed, for the purpose of this contention, that there was no objection to any of the rest of the framework of this clause; and those who challenged the presence of treason or treason-felony in the category of crimes, had no objection to the rest of the measure. Would anybody stand up and argue that he objected to a judicial tribunal trying murders and similar offences? Would it not be startling to admit that the Executive should be given a power, in regard to all the other offences named in this clause, to arrive at the conclusion that a just and impartial trial could not be had under the ordinary law, and yet they should not have the power to say, if they were so satisfied that a just, and fair, and impartial trial could not be had according to the ordinary course of the law in the case of treason or treason-felony? Of course, it would be possible legally to do so; but those who argued such a proposition should support it by showing that although an exceptional state of facts should prevail in reference to other crimes, yet they were so absent from these crimes, that it would be unfair to intrust the highest Executive official necessary in Ireland with any discretion in reference to them. He was afraid he could not arrive at that conclusion, because no one who had any acquaintance with Ireland could deny the painful fact that there was a great deal of disloyalty in many parts of Ireland. That was a painful and a sad fact; but it was the fact, and being the fact, it was a great deal better to admit it and state it, and attempt to deal with it temperately and reasonably in an Act of Parliament, than to pretend to ignore it. The Committee should bear in mind what it was that was covered by these words which it was sought to omit. He was afraid the Committee had not had that present in their minds during this discussion. One would think that the definition of treason and treason-felony was applied to prevent legitimate Constitutional agitation; but it was nothing of the kind. If the word "sedition," or any kindred distinction was found in the Bill, he could understand the argument now advanced; but there was nothing of that kind. The offences which it was proposed to exclude were treason and treason-felony, and the main argument of the hon. and learned Member for Christchurch (Mr. Horace Davey) was of a technical character; but he did not think that hon. and learned Gentleman had spoken with any marked enthusiasm upon his Amendment, but had rested it mainly upon technical grounds, which supplied also a sort of refuge for the hon. and learned Member for the Tower Hamlets (Mr. Bryce) in the statement that for the last 10 or 15 years there had been no trials for treason in Ireland, and, therefore, the machinery had not broken down. Was that argument accepted by the hon. and learned Member himself? He credited the hon. and learned Member with entire sincerity; but if he did accept that argument, then he thought the hon. and learned

Member had not considered the matter with any great care. It was impossible to ignore the present state of feeling among too many classes in Ireland, or what had been the fate of many prosecutions which were not for treason or treason-felony, but for murder. He would take the latest case of anything like a State Trial in Ireland. That was a case tried in Dublin 18 months ago. It was not a case of treason-felony; but certainly the traversers in that trial could not regard themselves as being charged with loyalty. That being so, the jury having received the charge absolutely clear—not from an isolated Judge sitting to try a criminal on Circuit, but a Judge sitting and speaking with the full authority of the Court of Queen's Bench, and giving a charge which, in a civil case, would have been regarded by the jury as a direction—the jury in that case failed to give more than a disagreement, which indicated that there was, at all events, a very great difficulty in getting jurors to return verdicts in accordance with what the prosecutors were entitled to expect. That was a matter which, he thought, should be borne in mind. Everyone in Ireland recognized the state of feeling in that country, and the difficulties that had to be overcome. What did the hon. and learned Member for the Tower Hamlets say? That since 1798, and the unfortunate Revolution in that year, there had been a good deal of sympathy with disloyalty in Ireland, and that even at the present time public opinion surrounded those charged with disloyalty with both sympathy and admiration. That being the state of facts admitted by the hon. and learned Member, how could it be urged that it would be safe to trust juries who might have among them men who regarded, or surrounded with sympathy, or with admiration, those who were charged with treason or treason-felony? How could it be said that a case for suspending the ordinary mode of trial had not been made out? Offences of treason and treason-felony were not what they had been assumed to be—namely, offences like sedition. It had been assumed in nearly all the arguments in support of this Amendment, that they were very much the same thing, and that treason-felony consisted in mere words, or the ordinary right of Constitutional agitation. But that was not so. Supposing this Amendment were carried, a class of offences that no one could put aside as not trenching in the sligheest degree upon legitimate political discussion and agitation, would be excluded from the Bill. Everyone who read the Amendment withdrawn by the hon. and gallant Member for County Galway (Colonel Nolan) would see some of the definitions of treason that would be at once excluded if the present Amendment were were accepted. The proposal which the hon. and gallant Member had withdrawn was to leave out "treason or treason felony," and to insert—

> "Attempting to take the life, injuring, or attempting to injure or imagining the death of the Sovereign or the Prince of Wales."

The offence pointed at in that Amendment was about as grave and serious an offence as could be conceived, yet that only affected part of the Law of Treason. There were many other offences of a very grave character which could not be confounded with anything like attempting to take the life or injuring the Sovereign or the Prince of Wales. The Home Secretary had said that the passing of the Amendment under discussion would be like a proclamation to Ireland that treason was no crime. That was the way it would be read, and the way he (Mr. Gibson) had no doubt it would be used in Ireland. No one who had watched the course of the agitation now going on in all its force in Ireland could doubt that if this Amendment were adopted, it would be sounded widely through the Press—certainly in America—and on many a platform in Ireland, that it had had to be admitted in the Imperial Parliament of England that treason, which had been defined clearly enough, was not regarded as an offence to be punished or to be dealt with in order to prevent criminals having impunity. Or it might be put otherwise by those who would not put it in such a strong way—although it would be foolish and rash, after the experience they had had, to imagine that anything would not be put in the strongest way—it might be put that treason was so slight and trivial an offence that it was not necessary to deal with it in the House at all. He was as anxious as anyone could be to see Ireland governed according to the ordinary law—to see its government freed from everything savouring of exceptional law; but he never would, under any circumstances, either in or out of the House, for the sake of gaining an ignominious popularity, say that he thought Ireland could be governed by certain laws or without certain laws, when his own conscientious conviction could not follow that statement.

Mr. O'CONNOR POWER said, the right hon. and learned Gentleman who had just addressed the Committee had commenced by giving them a brief history of the trial of the hon. Member for the City of Cork (Mr. Parnell) and other hon. Gentlemen who were Members of that House; and he (Mr. O'Connor Power) wished the Committee to note the kind of argument which was presented as a reason for accepting the clause in its present shape. The right hon. and learned Gentleman had said "the hon. Members were tried, not for treason, not for treason-felony, but for something verging on treason, and they were acquitted." ["No, no!"] Well, "the jury disagreed," which was said to be tantamount to an acquittal, "therefore, there was a failure of conviction that one naturally expected, and we will put such provision in this Bill that there shall be no failure of conviction in the future." Mark the force of the argument. Because there was a failure of conviction of an offence that was neither treason nor treason-felony, therefore we will abolish trial by jury for treason and treason-felony. That was the argument pure and simple, and he (Mr. O'Connor Power) contended it was so absurd that it would be mere waste of time to combat it. The right hon. and learned Gentleman had warned them to be careful of the consequences of their action in Ireland. He (Mr. O'Connor Power) was glad to find that the right hon. and learned Gentleman had some respect for Irish public opinion. He was glad to find that the right hon. and learned Gentleman was disposed to shape his votes and action in that House with some regard to Irish public opinion. He (Mr. O'Connor Power) had a great deal of regard for the manner in which this Bill was likely to be received by the Irish people; and he said that if they needlessly, and without showing any sufficient cause, abolished trial by jury in cases of offences of treason and treason-felony, the Irish people would read the measure as an attack upon their political liberty, and they would say that the title at the head of it—"Prevention of Crime"—was a sham, a misleading definition. It was as likely that they would take that view, if this sub-section were maintained in the clause, as that they would take the view so—what should he say—so ingeniously put forward by the right hon. and learned Gentleman the Home Secretary—namely, that they would no longer think treason or treason-felony a crime. He should like to ask the Committee one plain question which, he thought, went to the root of this discussion. Why were they asked at all to pass a Bill of this extraordinary character? What was the answer to that? It was because the ordinary law had broken down. In every case, therefore, where the ordinary law had broken down the Home Secretary was right in calling on them to sustain him. But he was calling on them to sustain him where, admittedly, the ordinary law had not broken down. He (Mr. O'Connor Power) wanted to know where was the logic, where was the consistency, where was the common sense of that proposition? The Irish Members had distinctly challenged the Government to point to a single case in the history of trials for treason and treason-felony in Ireland where a jury had, on the weight of evidence, failed to convict, and there had not been a single instance quoted. He asked, therefore, on what basis of argument did the case of the Government rest? It rested on no basis of argument—on not one solitary fact. It rested, he supposed, upon their apprehensions with regard to the future of Ireland. It was evident that they had no faith in that other half—that better half—that better and greater half of their policy, the remedial legislation, if they were so afraid for the next three years of the effect of the present system of government in Ireland, that they must arm themselves with powers which no previous Government ever sought from that House when dealing with Irish disaffection. ["No, no!"] Really, the hon. Member who expressed dissent did not seem to be alive to the enormity of the proposal contained in this clause. He repeated, that the Government had come down and asked for powers in dealing with Irish disaffection that no Government had ever asked for before. And when they asked the Government to tell them where and when the ordinary law had broken down, a red-herring was drawn across their path, and a reckless reference was made to subjects which were not germane to the question before the Committee. It was said that in some respects the ordinary law had broken down. But it had not broken down in cases of treason and treason-felony, and, therefore, the Government were without an atom of justification in calling upon the Committee to include this sub-section in the Bill. They had been reminded that treason was a crime. Unquestionably, it was a crime; but not all the eloquence, not all the argumentative power of the Home Secretary would be able to put the crime of treason or treason-felony in the category of other crimes. It never had been, and it never could be, put in that category. Everyone who had read the Constitutional history of England knew very well that it was impossible to speak of the crime of treason as they would speak of other grave offences. Treason and treason-felony were admittedly grave offences; but Gentlemen who were elevated to the position of statesmen were not only called on to take a lawyer's view of those crimes, but they were required to take a statesmen's view of them; and the true statesman's view of the crimes of treason and treason-felony in any civilized country was that they were to be punished, and punished in such a way as to deter political organizations, or too ambitious individuals, from seeking to change the law or government of the country by violent means. But statesmen were always fettered and guided by considerations of public policy and of expediency. They sentenced a man guilty of treason to be hanged by the neck, but before the time fixed for the execution came he was respited, and at the end of three years, as in the case of William Smith O'Brien, he was released from prison and sent home to his friends. Why did they do that? It was not because they had not their opinion of the enormity of the offence, but because, as statesmen, they were bound to respect the patriotic aspirations—mistaken they might be—and political sentiments of people who differed from them in opinion. He thought it would not be contested by anyone that no enactment of that House could be effectual in maintaining law and order in Ireland, and effectual in punishing crime in that country, which was not calculated to win the people to the side of law and order, and to win their support to the Government. He maintained that if they passed an enactment of this kind, destroying the right of trial by jury in respect of offences which were of a political character, they at once started out with a declared distrust of the very people whom it should be their object to win to the side of the Government. This provision was unnecessary. It was absolutely uncalled for. No references to the Phœnix Park murders and the disciples of O'Donovan Rossa should justify it, for the reason that by all the other powers of the Bill they would be fully armed to deal with these offences. They were going to apply the Alien Act to aliens in Ireland, and there was scarcely a part of the measure in which the Government were not asking the Committee to give them extraordinary powers. They had nothing to justify them in abolishing trial by jury in cases of treason and treason-felony; and he assured them their fears and apprehensions were groundless, just as groundless as the arguments they based on considerations which were not founded upon fact. He trusted, therefore, that the hon. and learned Gentleman who had moved this Amendment would, at all events, take care that hon. Gentlemen were afforded an opportunity of protesting in the most emphatic manner—namely, by a division—against this provision. The Irish Members had again and again challenged the Government to meet them on one point, and he was sure, after the many protests that had come from both sides of the Committee, Her Majesty's Government would not ignore it. The point was the one to which he had already referred. Had the ordinary law broken down in Ireland as regards treason and treason-felony? If not, he maintained that they were degrading that ordinary law and giving the Irish people a contempt for it, when they needlesly set it aside to establish a stringent measure of this description.

Mr. CARTWRIGHT said, the hon. and learned Member for Mayo (Mr. O'Connor Power) had thrown down a very clear and distinct challenge to the Government as to whether the ordinary law had broken down or not. He (Mr.

Cartwright) ventured to say that anyone who had paid any attention to the course of legal procedure in Ireland must have seen and have known that many a time verdicts had not been according to evidence, although the juries had had clear evidence before them.

MR. O'CONNOR POWER: I referred to cases of treason and treason-felony.

MR. CARTWRIGHT said, he should come to that point directly. A speaker (Mr. Willis) who had almost immediately preceded the hon. and learned Member for Mayo had attacked the hon. Member for Newcastle (Mr. J. Cowen) in regard to what be had called that hon. Member's historical fallacies. One of these historical fallacies was his reference to Judge Jeffreys. Let them leave Judge Jeffreys entirely outside the question—let them come to the mode and manner in which justice had been administered in Ireland within their own memories. Reference had also been made to the Fenian organization; and it had been pointed out by the hon. Member for Galway (Mr. T. P. O'Connor) that convictions had been obtained against Fenians in Ireland, although theirs was the most powerful organization that ever existed in Ireland.

MR. T. P. O'CONNOR: I never made any such statement.

MR. CARTWRIGHT said, the hon. Member had said that verdicts were brought in according to the weight of evidence.

MR. T. P. O'CONNOR begged the hon. Member's pardon. He had never made either of the two assertions attributed to him, nor had he heard anyone else make them.

MR. CARTWRIGHT said, that, at any rate, the assertions had been made by an hon. Member opposite. He apologized for having attributed them to the hon. Member for Galway. It was the hon. Member for Wexford (Mr. Healy) who had made them. What had been kept out of the view of the Committee was this, that at the time when verdicts were obtained against the Fenians the juries were of an entirely different order and character to those now empanneled to try cases in Ireland. The *raison d'etre* of this Bill was that they had to deal with juries very different from those who had brought in these verdicts. This was a point which had not been kept before the Committee, and he, therefore, wished to impress it strongly upon the attention of the Committee. It was a point of considerable importance. But there was another point of importance. Reference had been made to the fact that, under the Bill, Judges in Ireland would have to deal both as Judge and jury with cases brought before them. But what were these Judges? How could hon. Members accuse them of partiality, and say that they would be in favour of bringing in verdicts against persons accused before them? There was evidence before the Commitee, and it was a matter of public notoriety, that these Judges had themselves, on technical grounds, taken exception to the duties imposed on them by the Bill. Yet, although they knew that these men, according to the technicalities of their legal minds, were anything but biassed in favour of the Bill, Irish Members took exception to them, and said they would not be impartial Judges. It seemed to him that not only were all the arguments brought against this sub-section of the clause unfair, but were entirely outside the four corners of the case.

MR. JUSTIN M'CARTHY said, the hon. Member who had last spoken hardly, he thought, understood the position taken up by the Irish Members on this particular clause. The hon. Member had given some arguments, which seemingly very much appealed to his own conviction, to show that Irish juries had not given satisfactory verdicts in recent cases in Ireland; but what the Irish Members were contending for had reference to one particular case alone—namely, treason or treason-felony. They contended that there was not the slightest reason to assert that the law had ever failed in Ireland in regard to verdicts of juries in cases of treason and treason-felony. Hon. Gentlemen opposite could have no recent evidence on this point, because trials for treason and treason-felony, happily, had been very few in Ireland of late years. He believed that not for something like 10 or 12 years had any case of the kind arisen in that country. But when such cases had arisen, and there had been reasonable evidence against the accused, convictions had been obtained with almost unvarying certainty. The Committee were, of course, perfectly well aware that convictions for treason and treason-felony in times when these offences were rife in Ireland were almost invariably certain. From the days of Mitchel to those of O'Donovan Rossa, convictions for treason and treason-felony were always secured where there was any reasonable evidence whatever to bring forward as to the justice of the accusations. What the Irish Members maintained was this, that the law had never been discredited in regard to offences of this kind. But what did they find the argument on the other side? They found the common assumption was that everyone who was charged with an offence at the instance of any official of Dublin Castle must needs be guilty of that offence, and that where there was no verdict of "Guilty" returned, the jury had not found a proper verdict, and the law was left in discredit. The case of his hon. Friend the Member for the City of Cork (Mr. Parnell) had been referred to that evening. The hon. Member had been tried on a charge of constructive conspiracy—that was to say, it had been attempted to make him responsible for various ejaculations shouted out at meetings he had never attended by persons he had never seen. He (Mr. Justin M'Carthy) ventured to assert that if his hon. Friend had been tried by a Middlesex jury which had not been packed by police officials and informers, that jury would never have convicted him of the charge brought against him. The jury who had tried his hon. Friend in Ireland had acted exactly as any other civilized jury would have done. The assumption was that any man accused of anything in Ireland by the Crown must naturally, or necessarily, be guilty. There had been a somewhat ominous expression let drop by the Home Secretary in one of his speeches that night. He had said—"We want to make the system of trial effective. The men who are to be brought before this tribunal are men who have no right or title to consideration at our hands." More than once the right hon. and learned Gentleman said—"We can have no consideration for persons of that class." Persons of what class? Why, persons brought before a jury. So that it was assumed, as a matter of course, that everyone charged in Ireland before a jury must be guilty of the charge, and that if they were not found guilty the fault must lie with the jury system. Now, assumptions of that kind were not likely to commend legislation like this to the attentive respect of the Irish people. No matter whether they did, or did not, owe consideration to men charged with crime, or even to men guilty of crime, they owed consideration to that Constitutional system which said a man should not be assumed to be guilty until he had been proved to be so, and that he should have every possible means of a fair and legitimate trial, such as commended itself to the sense of a civilized people. In the whole of the debates which had taken place on this and other clauses, this consideration seemed to have been entirely lost sight of. The Irish Members said, with regard to this charge of treason or treason-felony, that public opinion would support the ordinary process of law. It was but fair, they said, to leave out of the category of special offences calling for a special tribunal those charges for which the ordinary law, thus far, had been proved quite sufficient. They had heard a great deal that night about the intensity of the guilt of treason and treason-felony. Now, he quite admitted that every man who ran the desperate risk of convulsing a whole State in the hope of carrying out some scheme of his own, or some scheme of someone else, no matter though he believed great public benefit would result from it, no matter how good his object, if he failed, was bound to pay the forfeit. If he disturbed society, and failed in the object for which he made that disturbance, there was proof that he had been rash and reckless in his calculations, and he was bound to suffer the penalty the law imposed. But public opinion, and history, and the national conscience never could consent to regard a man charged with treason or treason-felony in the same light as a man charged with murder or manslaughter, an attempt to kill, aggravated crime of violence against the person, arson, or an attack on a dwelling-house. Everyone knew it was but the chance of the hour that made a man either a successful patriot and hero, or a mere convict. Therefore, they were fairly entitled to claim that a charge which was made, and carried out to its fullest vindictive extreme, in England against men like Algernon Sydney and Lord Russell, and in his own country against Wolfe Tone and Fitzgerald, should not be regarded like merely criminal charges; and that if there was to be wrangling over new legislation as to trials, it should not be, except under the extremest necessity, with regard to trials for offences that had at all times been distinguished and separated from ordinary breaches of law, that had often been held up as honourable actions, and had often come within the merest chance of being successful efforts of patriotism.

MR. THOROLD ROGERS said, that although he had no doubt about this particular part of the Bill, something had fallen from the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) which was calculated to raise the gravest doubt in his mind. He hoped he did not misrepresent the right hon. and learned Gentleman when he said that he had stated that in a certain trial that took place in Dublin some months ago the Judges—not one Judge, but two Judges—summed up distinctly in favour of a conviction. Not only that; but the right hon. and learned Gentleman went so far as to say that the Judges virtually directed the jury to convict, and that, in the teeth of that direction, the jury returned a verdict of "Not Guilty"—["No, no!"]—or could not agree. If it were the case that the Judges in Ireland—and he was not disparaging in the slightest degree their merits, not challenging in the least their integrity, because he was not disposed to believe, nor had he any reason to believe, that they carried their political sentiments on to the Bench—but if it were the case that the Judges in Ireland, in a matter so elastic, so much a matter of Judge-made law, as he emphatically believed treason and treason-felony to be, had not merely advised, but practically ordered the jury to convict, as the right hon. and learned Gentleman had said, then to commit to these Judges—[*Cries of* "No, no!" *and* an hon. MEMBER: He did not say that.] He simply repeated what he had heard the right hon. and learned Gentleman say. ["No, no!"] The right hon. and learned Gentleman had said that the Judges summed up in such a way——

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): With great respect, I would say—["Order!"]

MR. T. P. O'CONNOR said, he rose to a point of Order. Had the right hon. and learned Gentleman the Attorney General for Ireland a right to rise up and correct a statement made by another right hon. and learned Gentleman?

THE CHAIRMAN: If the hon. Member (Mr. Thorold Rogers) wishes to maintain his position, he can do so; but I understand, by his sitting down, that he wishes to hear what the right hon. and learned Gentleman desires to say by way of correction.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) here again rose.

MR. PARNELL said, that if the right hon. and learned Gentleman was to be allowed to interpolate a speech with regard to what had been said by a third person in the middle of the speech of the hon. Member (Mr. Thorold Rogers), there were some other hon. Members who would desire the same privilege. The right hon. and learned Gentleman the Attorney General for Ireland, who had been dumb the whole evening, would have an opportunity of addressing the Committee when the hon. Member who was now in possession of it had concluded.

THE CHAIRMAN: I would point out to the right hon. and learned Gentleman that the course which is being followed is not a usual one.

MR. THOROLD ROGERS said, he had not the least wish to misrepresent in the slightest degree what had been said by the right hon. and learned Gentleman the Member for the University of Dublin; but he wished to convey to the Committee the impression which had been made upon his own mind. He might, perhaps, be wrong as to the precise phrase the right hon. and learned Gentleman used as to the Judge's Charge to the jury; but he believed it was said that the Judge went so near ordering the jury to convict as to direct. ["No, no!"] Yes; that was exactly what he said. He (Mr. Thorold Rogers) contended that, if that were the case, and if, in a matter of Judge-made law, and speculative opinion as to the consequences which might ensue from the views any public person had expressed, either by voice or by writing, the Judges were able to declare to the juries that that which appeared to them to be their duty was not their duty, but that their duty was a totally different thing, Constitutional agitation in Ireland would be in great peril. Suppose it to be the case—and he conceived that it might happen—that crimes of similar magnitude to those which had happened in

Ireland occurred in England, and suppose he were called on, as he should generally feel it his duty to do if called on, to give larger powers to the Executive, he should be reluctant to empower Judges who had not exactly browbeaten juries, but, at any rate, told them how they ought to give their verdicts, power themselves to give verdicts. He should not like to do this in the case of his own country, and he did not like to do it in the case of Ireland. Again, he could not help thinking that there were one or two phrases in the speech of the right hon. and learned Gentleman the Home Secretary that evening which were open to review. It was not their duty to maintain the Government of England in Ireland, but to maintain there the Government of every civilized community—the Government of law and order. At any rate, that was the view he should have before him in giving any vote upon the general principle or the details of the Bill. As he understood it, certain hon. Members from Ireland objected to have to face the great issues which would be involved in the retention of this crime, treason or treason-felony, in the Bill. It was argued with force that it was useless to include this crime, for the reason that, if a man made a long speech, or was guilty of a line of conduct, in respect of which he could not be punished under any other of the subsections of this clause, such speech or such conduct would be so harmless that they could afford to pass it by. No doubt, anyone who it was believed had committed murder or manslaughter, or who had attempted to kill, or who was guilty of aggravated crime of violence against the person, or of arson, whether by Common Law or Statute, or who it was believed had attacked a dwelling-house, would be a very dangerous person, and he (Mr. Thorold Rogers) would be glad to see such a man left to the sharpest remedies of the Bill. He could not help thinking that there was a very great danger on two points in connection with this particular part of the Bill. One was that they would give an impression, not, indeed, that treason was no crime, but that there was an attempt made to coerce the expression of political opinion through the mouths and at the hands of those who were naturally Conservative when sitting on the Bench, and who were naturally disposed to interpret the law of the enactment under which they sat with rigour. He need hardly tell the Members of that House that that had been constantly the effect with regard to the Law of Treason in past times, and, as they had heard from the late Attorney General for Ireland, in very modern times. Then, furthermore, he thought there was great danger that if they once sanctioned the principle that Judges, without juries, could arrive at conclusions as to what were likely to be the results of speculative opinion in Ireland, they would not, at any future time, be able to resist the introduction of a similar interpretation to such political acts and such political opinions on the part of the Judges of England and Scotland.

Mr. GIBSON said, he must ask the permission of the Committee to say a word by way of explanation. He understood that when he was out of the House the hon. Gentleman who had just sat down had referred to what he (Mr. Gibson) had said. He might not have rightly apprehended the criticism of the hon. Gentleman; but he would repeat what he had said, and then the hon. Gentleman would know what he had had in his mind. He had been illustrating the difficulty of getting juries in cases that savoured at all of—he would not say treason or treason-felony—[An hon. Member: Say it.]—he was repeating the words he had used—cases that savoured of offences against public order and the reign of law to return independent verdicts. He had referred to such cases as the State Trials in Dublin some 18 months ago, where there was little or no controversy as to the facts, and where the Judges gave their opinion in a way that, in a civil case, would be regarded as a direction—["Hear, hear!"]—yes; a direction as to the law of the case. Notwithstanding that, practically, there was no difference or controversy as to the salient facts of the case in these State Trials, there was a disagreement on the part of the jury.

Mr. THOROLD ROGERS said, he did not think he had at all mis-stated what the right hon. and learned Gentleman had said. The right hon. and learned Gentleman had referred to the direction of Judges as to the law of the case, and that was what he (Mr. Thorold Rogers) had said.

MR. LABOUCHERE said, he never heard lawyers explaining the Law of Treason without thanking Heaven that juries stood between the subjects of Her Majesty and the lawyers in the administration of justice. Had it not been for that, the liberties that they at present enjoyed in England would not have existed. The hon. and learned Gentleman who moved the Amendment (Mr. Horace Davey) had said that treason and treason-felony was Judge-made law, and was, therefore, as was usual in such cases, unjust. But he (Mr. Labouchere) did not require to go to the Judges. He would simply go to the Statutes; and he would not go back to the Edwards or the Henrys, but would refer to the very last Statute dealing with treason-felony, passed in the present reign. The right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) had told them his view of the law. He had understood him to say that it would be all very well to make objection if the word "sedition" instead of "treason" were introduced into the category of crimes punishable under the Bill; but that if "treason" and not "sedition" were adopted, no one could be prosecuted without committing some overt act. "No one could be prosecuted for Constitutional agitation," he thought were the words the right hon. and learned Gentleman had used. He thought he meant no one could be prosecuted for anything he merely said. He would ask the right hon. and learned Gentleman to listen to this, because he did not think the right hon. and learned Gentleman had refreshed his memory lately with the Statute passed in the present reign. The Statute said that amongst other things which made treason or treason-felony was "to intimidate or overawe both Houses, or either House of Parliament." He apprehended that a Judge could hold that it might be intimidating or overawing both Houses, or either House of Parliament, to hold a meeting in Trafalgar Square. But the Statute went a step further, and said that a person offending "by publishing, or printing, or writing, or any overt act or deed," should be guilty of felony. That was to say, that if anyone were to recommend a meeting in Ireland or England that might intimidate either House of Parliament, that person would be guilty, according to this Statute, of treason or treason-felony. Now, he asked whether anyone would dream of placing these powers in the hands, he did not say of an Irish Judge, but of any Judge? He maintained that it was absolutely necessary, when such Statutes were passed, that a jury should stand between the law and the person indicted, for the purpose of tempering the letter of the law with the spirit of justice. That was what had saved them in past reigns against these Statutes, these abominable Statutes—and it was not he alone who called them so, but he believed that *Hallam* and other text-writers had done the same. Though the Statute might be wide, the Judge always, in cases of treason, obeyed the letter of the law. He did not know why it was, in matters of personal crime, that they did not do so. Speaking from history—and the Home Secretary, who knew a great deal about history, and had written a great deal about it, would bear him out when he said it—it was a mistake ever to intrust the administration of the Law of Treason to a Judge without a jury. The right hon. and learned Gentleman the Home Secretary had given them his view of the criminality of treason. He had told them, so far as he (Mr. Labouchere) understood him, that there was no moral distinction between treason and murder. Surely the right hon. and learned Gentleman would not stand to that. Surely he was aware that, whereas the entire community were of opinion that murder was a moral crime, the entire community was not of opinion that treason was always a moral crime. Here was the basis of the mistake which had been made in the present Bill, of putting in the same category that which might or might not be a moral crime in the eyes of a few, or of many, and that which was admitted by all to be a moral crime. What did they want to do in Ireland? To enlist the people on the side of law. They wanted to make them consider that the violation of the law involved some moral obliquity. He did not say that there should not be Statutes against treason—every community was obliged to have them; but they ought to draw a distinction, as much as possible, between those crimes that were admittedly morally infamous and those that were not. If they did not do that, they would create in Ireland a feeling against the entire Bill. The Irish people would not distinguish. They would say—"You put in treason and murder; we will leave you to fight it out with the murderers, and the persons who are guilty of treason." If this sub-section were left out of the clause, as hon. Gentlemen from Ireland had told the Government—and there was no reason to doubt that these Gentlemen did not represent the feeling of Ireland—they themselves, and their people, would unite with them in putting down these outrages against which the Bill was aimed. There was one reason in favour of the Amendment, which was of a Parliamentary character, which he wished to urge before sitting down. It was this. Up to the present time the discussion on the Bill had been temperate; the Government were most anxious to pass the measure; the present Amendment was one of the first important Amendments that had come on. Hon. Members on the Conservative Benches urged the Government not to give way, and some hon. Members on that (the Ministerial) side did the same. ["Hear, hear!"] The hon. Member for the City of London (Mr. R. N. Fowler) said "Hear, hear!" That hon. Member evidently urged the Government not to give way. All the Irish Members—["No!"]—well, nearly all the Irish Members who really represented public opinion in Ireland, urged them to give way, as also did many English Members who had spoken from that (the Radical) side of the House; and if they (the Government) really wished to pass the Bill, and to pass it in reasonable time, and without angry feeling, it would be advisable for them to give way at once. They must remember that during the past 10 years they had never had one trial for treason-felony in Ireland, and the probability was that this sub-section would not have to be put into operation. It was not an important one to the Government; therefore he trusted the right hon. and learned Gentleman the Secretary of State for the Home Department and his Colleagues would consider whether some sort of concession could not be made.

Mr. GOSCHEN said, he would endeavour, in the few observations he was about to make, to observe the same temperate tone as that observed by the hon. Member for Northampton (Mr. Labouchere), and nearly all the hon. Members who had taken part in the debate. If treason and treason-felony were not put on the same footing as the other crimes mentioned in the Bill, it might have an effect, to a certain extent, on the minds of the Irish people in the view they took of the more severe crimes, as had been mentioned by the hon. Member for Northampton; but, on the other hand, in separating the crimes in this way, would they not make the people of Ireland take a lighter view of the crime of treason than was desirable at this time? He should like to recall the weighty words that had fallen from the Home Secretary on that point earlier in the evening. The Government, on their responsibility, considered it necessary that these words should be introduced; and he (Mr. Goschen) would ask, as the Home Secretary asked earlier in the evening—"What will be the effect on the people of Ireland if this is omitted from the Bill, especially after the debate that has taken place?" One of the arguments which had been used was that the Irish Judges could not be trusted to administer this Act impartially as regarded political offences. Were they, then, to teach the Irish people, by accepting this Amendment, that the House of Commons held the view which was urged by hon. Gentlemen opposite about the Irish Judges? He would remind the Committee of the important part which that argument had played. It had been said that the Irish Judges could not be trusted to administer the Act so far as political offences were concerned. Well, he did not suppose that Her Majesty's Government would wish to inaugurate this Act by assenting, even indirectly, to such an argument as that. There was a difference, he thought, between many hon. Members in that House with regard to the situation in Ireland as connected with agrarian offences. It had been urged, over and over again, that it was the Agrarian Question with which they really had to deal, and that, therefore, that part of the measure which did not touch agrarian offences might be safely omitted; and he thought it was the hon. Member for Newcastle (Mr. Cowen) who had called attention to this point. He had said—"The secret societies of Ireland are agrarian—they are Ribbonmen, and they deal with agrarian questions generally." But surely they might take it for granted, he hoped, that if it were not agrarian secret societies that organized the terrible murders in Phœnix Park, those murders were at least due to some secret society of a political and treasonable character. Unfortunately, they had not only to deal with the Agrarian Question, but they knew that there was a moving power in the Irish-Americans, to which attention had been called, over and over again, and by none more so than by hon. Members sitting opposite—the Leaders of the Irish Party. He thought they might say, so far as they could judge, both by speeches which had been made at American meetings and from their newspapers, that there were far more than agrarian questions at stake in their policy and in their aims. [An hon. MEMBER: Home Rule.] Yes, Home Rule; but Home Rule, accompanied by recommendations so treasonable in their character, that he wondered how loyal Irishmen, who had visited the other side of the Atlantic, could stand and listen to them. It was with the aims of the organizations in America that they had to deal, as well as with agrarian questions. It would, indeed, be fortunate for them if they could think that they were only dealing with Irish fellow-subjects, and that they had not to take into consideration the revolutionary and treasonable objects of these societies. But they would be minimizing the dangers which they had to encounter if they were to think that there was only one legitimate agrarian and political agitation in Ireland. There were these other powers at work in Ireland. The Government had asked them in this Bill to assist them in dealing with secret societies; and he must say he thought a heavy responsibility would rest on those who, after the appeal made to them by the Home Secretary, who pointed out the effect the refusal of the sub-section would have on Ireland, persisted in their objection to this portion of the Bill. He could only say they were bound to face, not only the agrarian, but other political offences; and, whatever view they might take of treason, they could not lightly deal with it, or give either this country or Ireland the idea that they were excluding it from the list of those crimes with which the Bill had to deal.

MR. HOPWOOD said, he did not think this section of the Bill ought to pass, at least in its present shape. The Government had had overtures made to them which, if they had been listened to, might have had the very best effect on Ireland; and they were about to return to those who had made the overtures the answer that they would try political offences in Ireland by an unheard-of tribunal. An hon. and learned Friend behind him (Mr. Horace Davey) had said there was no precedent for this form of tribunal. The right hon. and learned Gentleman the Home Secretary had taken his hon. and learned Friend up rather sharply, and said —"You say there is not a precedent —why, there was one last year, when you conceded to us a larger power of dealing with those suspected of treason than we seek here, inasmuch as we do propose now to put them on trial." The right hon. and learned Gentleman had considerable readiness; but he must take care that he did not pinch his friends as well as his foes. When he reminded his Friends of their allegiance last year, and said that was a reason why this year they should go farther, the reminder was, to say the least of it, unfortunate. He would answer the right hon. and learned Gentleman that they were told last year that only for a few short months would men be confined in gaol on suspicion. They might describe how they had been coaxed into giving the Government extraordinary powers, or they might, with the penitent, say—"We now feel we were wrong in giving them at all." The precedent was no precedent. The question they had to consider to-day was whether to the Judges of Ireland should be given power of life and death over their fellow men; and whether, among the numerous offences to be tried by this tribunal, that of treason should be one of them. Now, his right hon. and learned Friend the Member for the University of Dublin (Mr. Gibson) had said he did not think a man would rise in that House and say he would not allow a murder to be tried by the Judges. He (Mr. Hopwood) confessed he was one of those men—too old-fashioned, it might be; too Conservative, perhaps, for the right hon. and learned Gentleman—who had felt very glad when he had stood up for a client—it might be a prisoner at the Bar—to know that there was a jury between the accused and the Judge. His argument was that cases of treason and treason-felony should not be intrusted to three legal gentlemen for trial; and he hoped to make good that argument. His right hon. and learned Friend said—"Why, there is a great deal of treason in Ireland." Well, if there was, it might show itself in murder; and, if so, it could be dealt with in the next sub-section to that under discussion. It might show itself in "manslaughter" or "attempts to kill." It might appear in "aggravated crimes of violence against the person;" in "arson, whether by Common Law or by Statute;" or it might show itself in an "attack on dwelling-house"—in either of which cases it could be dealt with under those paragraphs in the clause. The most violent forms of treason or treason-felony were thus provided for. Persons believed to be guilty of treason taking those forms they could try to their hearts' content by the chosen tribunal; but when they came to simply "treason or treason-felony," they had a totally different crime to judge of. Of course, for his argument, he assumed it to be divested of all violence. A Judge, in dealing with the actions of a person accused of treason or treason-felony, could attribute motives and give a wrong bias to actions, according to the inclination of his own mind. And why was it? They had the answer palpably amongst them; the wide diversity of political feeling. What was a "Conservative?" What was a "Radical?" What was a "Liberal?" It was interpreted by one Judge in one way and by another Judge in another way. They were not without instances in this country of juries disagreeing. A few years ago there was a disturbance in the North of England. Politics ran extremely high in the place, and the Constitutionalists found vent for their feelings by throwing paving-stones through the windows of their opponents' meeting place. The result was that a poor man met his death, and there was a trial for manslaughter. Several men were brought to trial; the evidence was pretty clear; the Judge summed up in favour of a conviction. But one juror stood out against the other 11, with the result that when he went home he was received in triumph by the Party to whom he belonged. That happened in England; and yet it was not proposed to abolish trial by jury in this country. A few years ago there was a matter in Jamaica upon which political opinion was divided. Conservatives thought the action of the Government was quite right, while Liberals thought it was extremely wrong and cruel, and altogether to be deprecated. It came in succession before two Judges in England —in the first instance, before the Chief Justice, who delivered a Charge which remained a monument to his learning on the subject, and which was radiant with brilliant expression of the feelings of a man who could appreciate true liberty. consistently with the defence of the law. But another Judge subsequently, reviewing the same facts to another Grand Jury, could only speak of the unhappy man whose fate was the subject of inquiry as "a pestilent agitator." Nothing could more forcibly illustrate the difference of views of two Judges upon matters of this kind; and yet it was proposed to try men in Ireland by Judges, two of whom, perhaps, were of one sort and one of another sort. They knew that treason possessed all the elements of expansion in definition and in proof; and, therefore, he submitted it was not an offence which ought to be included amongst the crimes to be investigated by Judges. It was argued that if they excluded treason and treason-felony from the purview of the tribunal of Judges, it would be an advertisement to the people of Ireland that this particular offence was no offence at all. He would rather say that if the Government consented to omit treason from the provisions of the Bill, it would show that there was, on their part, a tenderness towards the future existence of the men who were to be brought before the Judges. By accepting the Amendment the Government would show a knowledge of the world; for, argue as they pleased, no one would pretend to say that treason, in the abstract, had ever excited the moral or the mental repugnance that the other crimes mentioned in the clause had excited. He trusted the Government would accept the Amendment; and, in conclusion, he might say he was surprised that hon. Gentlemen opposite should attribute motives to hon. Members on this side of the House, who supported the Government. There was an hon. Member who sat opposite—he did not know whether the hon. Gentleman was in the House at the present moment; he referred to the hon. Member for Galway (Mr. T. P. O'Connor)—who had taunted his hon. and learned Friend (Mr. Willis) with being a "political lawyer," and yet to himself motives might be attributed. It was possible that the hon. Gentleman had himself benefited by his service to his country; it was possible he might have gone abroad with some benefit and advantage. He made no such assertion himself; but it might be said, and, no doubt, it would be quite as vulgar as the imputation he had made, and probably just as true.

Mr. FIRTH said, he thought it would be well, in discussing this subject, to leave out of view altogether the effect that would occur in Ireland, arising from the omission of the proposed words. Some hon. Members thought that the effect would be to lead the Irish people to suppose that treason was not a crime. Other hon. Members, no doubt quite as truly, thought that the effect would be to convey to the mind of the Irish nation that the English Parliament were confident that Irish juries would, upon this matter, continue to discharge their duties faithfully. One conclusion was as likely to be true as the other, and he thought it would be more advantageous for the Committee to decide the question upon its merits rather than upon its effect upon the Irish people. The matter was one of great gravity, and one of considerable difficulty. The old Statute of Edward III. contained the words that—

> "The accused shall be, on sufficient proof, attainted of some overt act by men of his own condition."

That had been the law from the time of Edward III. to the present day, and unless the very strongest proof was given that in some part of the United Kingdom that law had been ineffectual in its working it ought not to be set aside. The onus of that proof rested, no doubt, upon the Government. He listened to the eloquent and instructive speech of the Home Secretary with great care; but he confessed it did not seem to him that it completely discharged the onus resting on the Government. The first thing the Government should have done was to show that trial by jury had been attempted in the case of treasonable offences, but had failed. It was quite true something of the kind might be said as to trials for offences analogous; but for the particular offence of treason no trials had been attempted for many years past. For all the other offences specified in the clause trials had been made, and with respect to them, no doubt, some evidence could be given. Not so with respect to treason or treason-felony. High treason, as defined in the Statute, could be effectually met by the existing law; and as to treason-felony, the offence, as had been pointed out by the hon. Member for Northampton (Mr. Labouchere), was very vague in its character. He (Mr. Firth) thought they might draw the inference that it would be extremely unsafe to commit to a body of Judges the judgment upon, and punishment of, an offence which was of so vague a character as treason-felony. An elastic offence was a very dangerous thing to put in the hands of a body of Judges, no matter how well chosen; and, in saying that, he would yield to no man in that House as to the esteem and regard he had for the Judicial Bench, both in England and in Ireland. They could not forget that there had been times, they could not deny the possibility of times coming again, when men on the Judicial Bench might be influenced by other than judicial considerations. He admitted that when the Home Secretary, in answering the hon. and learned Member for Christchurch (Mr. Horace Davey), quoted the Coercion Act of last year, the hon. and learned Gentleman was put in a difficulty. It was quite true that the House of Commons did, last year, consent to pass a measure under which the Administration had power to arrest and imprison men at its will; and the hon. and learned Member for Christchurch got what he deserved when he was told by the Home Secretary that he supported the Act of last year. There were some of them who had not that responsibility to take upon themselves; and he confessed he was not sorry he took, with regard to the Coercion Act now in force, a course different to that adopted by his hon. and learned Friend (Mr. Horace Davey). It did seem to him that it would be a very serious thing, unless the onus devolving upon the Government was completely discharged, to refuse the Amendment. He could not see that any serious ill would result from leaving the two offences in question out of the Act.

Nearly all the branches of treason and treason-felony could be dealt with under the existing law, and when no trials had taken place for these offences during the past 10 years, he thought it would require very strong evidence indeed—at least, he trusted it would—to induce the Committee to go back from the good and wholesome principle, found to be so true, and just, and necessary 500 years ago, and continued from century to century, through our Constitutional life, until the present day. He trusted the Committee would require very strong evidence of its necessity before they consented to the suspension, in the case of Ireland, of trial by jury for treason and treason-felony.

Mr. BUXTON said, he did not wish to stand long between the Committee and the division; but he desired to express his intention of supporting the Government on the present occasion. He heartily regretted the necessity for the Bill; Liberals, Radicals, Whigs, Conservatives, Irishmen and Englishmen, must all unite in deploring the necessity for the Bill; but that there was such a necessity had been amply proved. He was convinced that a Government which contained such men as the Prime Minister, the President of the Board of Trade (Mr. Chamberlain), and the Chancellor of the Duchy of Lancaster (Mr. John Bright) would never propose to Parliament a Bill containing more restrictions of Constitutional liberties than were absolutely necessary; and as the Bill had been proposed and advanced by those right hon. Gentlemen, he, for one, should most heartily support it. The immediate question before them was whether or not treason and treason-felony should be considered crimes under the Bill. Her Majesty's Government, acting on their own responsibility, had placed the offence in the Bill, and they had placed it in a very remarkable position in the Bill. Amongst the crimes which were detailed in the clause he found the first one was "treason or treason-felony;" it had been placed before the crimes of murder, aggravated assaults, or arson. He could have wished that the crime of treason or treason-felony had been considered one of a more serious character than it had been during the last two or three years, not only by Her Majesty's Government, not only by the country at large, but by the Irish Members themselves. They were told earlier in the evening that the hon. Member for the City of Cork (Mr. Parnell) could never be accused of the crime of treason. The crime of treason had been defined very accurately in an Act which had already been referred to—the 11 & 12 *Vict.* He would invite hon. Members to refer to that Act, and then to consider whether some of the speeches of the hon. Member for the City of Cork had not very nearly approached the crime as it was in the Act defined. He would venture to read two quotations from the speeches of the hon. Member. In a speech delivered at Waterford on the 6th of December, 1880——

Sir JOSEPH M'KENNA asked if the hon. Gentleman was in Order in making a quotation to sustain the imputation?

The CHAIRMAN called upon the hon. Member to proceed.

Mr. BUXTON said, the hon. Member for the City of Cork, in the speech delivered at Waterford on the 6th of December, 1880, referred to that House and said—

> "They cannot suspend the Habeas Corpus Act without an Act of Parliament, and they cannot pass Coercion without an Act of Parliament; and so long as we are able to stand in Parliament I will undertake to say they will pass neither the one or the other . . . and I am sure that these forces are amply sufficient for the task which we all have before us, the task of breaking the neck of English misgovernment in Ireland, and chasing from the country the usurpation which has long hung round our necks."

He would read one more quotation. It was from a speech delivered by the hon. Member at Cincinnati on the 23rd of February, 1881. When the hon. Member for the City of Cork had the Atlantic between England and himself he said—

> "Let us not forget that this is the ultimate goal at which all we Irishmen aim—none of us, whether we are in America or in Ireland, or wherever we may be, will be satisfied until we have destroyed the last link which keeps Ireland bound to England."

Mr. PARNELL: May I ask where the speech was delivered, and from what report the hon. Gentleman is quoting?

Mr. BUXTON: The speech was delivered in Cincinnati in the month of February, 1881.

MR. PARNELL: From what newspaper is the hon. Member quoting?

MR. BUXTON: I cannot inform the hon. Member?

MR. PARNELL: Will the hon. Member be kind enough to say what is his authority for the quotation?

MR. BUXTON said, he had not made the quotation from any newspaper; but from a report of the speech in a book called *The Truth about the Land League.* If the hon. Gentleman would tell him he did not make such remarks he would be perfectly satisfied. He could not help thinking there was at least a tendency in those quotations towards some such crime as was defined in the 11 & 12 *Vict.* They might in future see a recurrence of such speeches, and it was necessary they should have the means of putting a stop to them. In the belief that they would have such means by the Bill, he should give his hearty support to the Government.

SIR JOSEPH M'KENNA said, he thought some distinction should be drawn between the offence of treason or treason-felony and the other offences mentioned in the clause. They were proposing to try offences against the Sovereign by the salaried officers of the State. Nothing could be in principle more objectionable; nothing could be more foreign or more opposed to the whole current of legal *dicta* and to all notion of Constitutional rights in this country or in Ireland. He hoped the right hon. and learned Gentleman in charge of the Bill would yield to what must be the opinion of the legal Members of the Party the right hon. and learned Gentleman belonged to. He would offer no objection to crimes of murder, manslaughter, aggravated assaults, and the like, being referred to the new tribunal; but that treason and treason-felony should be referred to a tribunal composed solely of salaried officers of the Crown was so objectionable that he trusted, even at the eleventh hour, the right hon. and learned Gentleman would agree to their being struck out of the clause.

MR. HENEAGE said, he could not give a silent vote on this question. He was perfectly ready to support the Government in whatever measures they considered necessary to strike terror into the criminals, and to give safety and protection to the law-abiding people of Ireland; but he thought that to overload a Bill of this kind and magnitude with crimes of such a questionable nature as treason and treason-felony—["Oh!"] It was very easy to use the monosyllable "Oh, oh!" but there was nothing in it. He would explain what he meant by the phrase, "such a questionable nature." He meant that no three or four persons ever could agree upon treason-felony. There were certain crimes specified in the Bill about which there could be no question. If treason was to be included in the category of crimes to be tried by the Commission of three Judges, let it be brought in as "a conspiracy to commit any of the aforesaid offences." They would then know what treason-felony was; but to put treason-felony in the Bill, without its being properly defined, was, to his mind, a great mistake. They had been told that if they omitted treason-felony from the Bill it would have a very bad effect in Ireland. He did not believe it would have any such effect. Treason-felony was of such consequence to England, as well as to Ireland, that it ought to be dealt with by itself, or else left out of the Bill entirely. He would go a step further, and he would ask the Government whether a month ago they thought it necessary to bring in a Bill about treason-felony? When they were asked to pass the clause as it now stood, they should have some reason given why the Government did not think it necessary to produce a Bill for the Prevention of Crime a month ago. He quite admitted they were right in introducing the Bill, and he was quite ready to support them now they had brought it in. He could not, however, understand why they should include the offences "treason and treason-felony." There was another reason for the omission of treason and treason-felony, and that was that the Lords' Committee, which went fully into the question, never suggested for a moment that treason-felony should be taken out of the category of crimes to be tried by a jury. As had been already pointed out, there had been no failure of justice with regard to treason and treason-felony; and, therefore, it was quite enough to deal with such offences in the manner prescribed when they found the juries in Ireland were not prepared to convict. He hoped that a better moral sense would come over Ireland, and that, when the people found they were protected against the criminal who had struck terror into them, they would be ready to convict for such crimes as murder, and manslaughter, and aggravated assaults. He regretted that the Government should have put their foot down, and said they would not concede the point raised by the hon. and learned Member for Christchurch (Mr. Horace Davey). It was a very bad omen for the Bill that so many of their supporters should have to divide against the Government in this matter. With regard to the Bill, as a whole, he was prepared to support the Government; but with respect to the present Amendment he could not support them. He would appeal to the Government whether they could not give way upon this question, and bring in a sub-section in the following terms:—"Conspiracy to commit any of the aforesaid offences." Surely, that would be treasonable enough. He did hope the Government would not weaken itself, which he was afraid it would do, by allowing many of its supporters to divide against them in this matter.

SIR R. ASSHETON CROSS rose for the purpose of expressing the sincere hope that the Government would not give way on this question. As had been properly stated, this was really no attack upon political liberties whatever. The Bill was brought forward for the repression of crime, and he was perfectly astonished to hear the hon. Member (Mr. Heneage) say he was quite willing to do anything to suppress crime, but he wished to take treason or treason-felony out of the category of crime. ["No!"] Well, the hon. Member suggested that instead of the words "treason or treason-felony," they should insert the miserable words "conspiracy to commit any of the other offences." He (Sir R. Assheton Cross) was not now going to discuss whether the proposed tribunal was a proper one or not. They admitted the necessity of some such tribunal, and it was now only a question what crime should come before that tribunal. What were the crimes besides treason or treason-felony mentioned in the clause? They were murder, manslaughter, attempts to kill, aggravated assaults against the person, arson, and attacks on dwelling-houses. No one who read that list, who had studied the condition of Ireland, who had read the Charges of the Judges, could have the smallest doubt whatever that those crimes were committed owing to the disloyalty which, to a great extent, existed amongst the people of Ireland. For what reason had treason and treason-felony been placed at the head of the list of crimes specified in the clause, if it was now to be taken out? It was quite impossible for the Government, after having given these crimes the first place in the clause, to strike out the sub-section relating to them. With regard to the chance of conviction by Irish juries, it was only necessary to refer to the Charges of two of the Judges at the Winter Assizes. In those Charges hon. Members who desired it would find abundant evidence as to non-conviction by juries, and they need not confine their inquiry to the sayings of the Judges only, because the most conclusive evidence on this point was to be found in the facts on which the Charges were founded. Those facts must prove to the most biassed mind the impossibility of getting conviction for crime at the hands of juries in Ireland.

MR. PARNELL: The facts referred to are not connected with cases of treason or treason-felony.

SIR R. ASSHETON CROSS said, the real question was this—What was the object of these crimes committed in Ireland? Although it might be true that there had been no indictments for treason or treason-felony, yet there was not the least doubt that the crimes of daily occurrence in Ireland were committed by persons actuated by the spirit of disloyalty to which he had alluded. For these reasons he was glad that the Government were determined to stand by the clause in its present form; and, certainly, if they were allowed to withdraw the sub-section relating to treason and treason-felony, after having put it forward, it would be evidence of great weakness on their part, and on the part of hon. Gentlemen opposite.

MR. INDERWICK said, he had so constantly voted with hon. Members who surrounded him, and so generally agreed with them upon public questions, that he desired to say a few words as to the reasons which compelled him to disagree with the Amendment now before the Committee. A great many excellent speeches had been delivered in the course of the evening on both sides of the House, which undoubtedly showed there was a feeling that it was undesirable that trial by jury should be done away with in Ireland; and if the House had not already concluded that this view was one that, at the present time, could not be entertained, the Amendment of the hon. and learned Member for Christchurch might have been adopted. But they had got beyond that position, and the House had said plainly that, under certain circumstances, trial by jury could and must be dispensed with; and the reason why the House had agreed to the tribunal, as constituted by the Bill before the Committee, was that there were certain occasions when juries in Ireland, in consequence of the views which they entertained with regard to the relations between England and Ireland, and the English Government in Ireland, were not to be trusted to try cases in which their passions were supposed to be engaged. Upon the question before the Committee he found himself unable to draw a distinction between the trial by juries of cases of murder, manslaughter, attempts to kill, violence to the person, arson, and firing into dwelling-houses, and the trial by juries of cases of treason or treason-felony. Now, they were told—and he quite believed the statement—that a great part of the mischief done in Ireland was caused by what was called the Fenian Brotherhood. No one, either in or out of the House, could doubt for one moment that this was an association addicted to treasonable practices. The Bill provided—

> "And whenever it appears to the Lord Lieutenant that in the case of any person committed for trial for any of the said offences a just and impartial trial cannot be had according to the ordinary course of law, the Lord Lieutenant may by warrant assign to any such Court of Special Commissioners the duty of sitting at the place named in the warrant, and of there, without a jury, hearing and determining, according to law, the charge made against the person so committed for trial and named in the warrant, and of doing therein what to justice appertains."

But with regard to one of the offences with which a person might be charged—namely, that of high treason or treason-felony—the hon. and learned Member for Christchurch asked the Committee to say that, although, unhappily, a jury in Ireland could not be trusted to try a man for murder, attempted murder, or firing into dwelling-houses, yet it might be trusted to try the same man on a charge of treason. To that proposition he could not assent for one moment. He entirely agreed with what had been very frequently pointed out in the course of the discussions upon the Bill, that you could not look at treason in the same way as you could on many of the offences specified in the clause, because there was no doubt that a man who, in the eyes of some, was a traitor to his Sovereign and country, might be considered by others perfectly guiltless. It naturally followed that to obtain a conviction of that man, even upon the clearest evidence, was much more difficult than to obtain the conviction of a man who was charged with one of those offences which carried with it its own condemnation. Hon. Members who supported the Amendment asked for an instance within certain limits of a trial for high treason taking place in Ireland which had not succeeded. But he had understood one hon. Member opposite to say that for the last 10 years, at all events, there had been no trial in Ireland for high treason. That in itself was an answer to the objection. But that was not the crucial test of the Bill. The Committee had to ask themselves this question—"If we cannot trust a jury to try a case of murder or attack on a dwelling-house, because the feelings of the jury are in favour of the criminal as against the man attacked, how, in the name of common sense, can we trust that jury to try the same man on a charge of treason, which was said to be regarded less unfavourably than other offences?" It appeared to him an impossibility, in the face of that, to strike out the words relating to treason and treason-felony. No one regretted more than he to be obliged to vote for this Bill; but, having come to the conclusion that it was necessary in the present state of affairs in Ireland, he thought it only right and merciful to that country that the powers of the Bill, which were directed against those crimes which disturbed order and the administration of the law, should not be weakened. There was, in his view, one thing to be done—namely, to detect and to punish crime, and the more speedily and effectively this was accomplished the better it would be for this country and for Ireland. He should, therefore, vote in favour of the clause as it stood.

LORD EDMOND FITZMAURICE said, he could not help thinking that the right hon. Gentleman the Member for South - West Lancashire (Sir R. Assheton Cross) had unintentionally entirely misrepresented the speech of the hon. Member for Great Grimsby (Mr. Heneage). That hon. Member said, in the first place, that it was difficult for him to give a silent vote on the present occasion; and for the same reason he (Lord Edmond Fitzmaurice) respectfully asked the attention of the Committee to the few observations which he felt it his duty to make even at that late hour. The right hon. Gentleman the late Home Secretary (Sir R. Assheton Cross) said that the hon. Member for Great Grimsby had satisfied himself by proposing the miserable expedient of reviving the Law of Conspiracy. Now, he should have thought that the right hon. Gentleman, having been Home Secretary, and having passed the well-known Act dealing with the relations of employers and workmen, was too familiar with the scope and wide reach of the Law of Conspiracy to speak of it under any circumstances as a miserable expedient. Having had the honour of occupying a humble post in the Department of which the right hon. Gentleman was at one time the Head, and that at the time when the question of the Law of Conspiracy was under consideration there, he could say that the impression left upon his mind at the time was that no branch of the English law was so wide-reaching and effective as the Law of Conspiracy. The arguments of his hon. Friend the Member for Great Grimsby could not, therefore, in his opinion, be dismissed as they had been by the right hon. Gentleman the late Home Secretary, nor could they be dismissed by the observations of the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson), who went out of his way to accuse any person who supported this Amendment of wishing to gain a miserable popularity. Without fear of contradiction, he said that if there was one Member of the House who was not open to that charge, it was his hon. Friend the Member for Great Grimsby, who had gained a considerable amount of unpopularity by the votes he had given; and if, on this occasion, he found himself going in a rather more liberal direction than the Government, he was, at least, entitled to the same credit for sincerity as when he had not differed from them. Having said that, he wished also to protest against the doctrine laid down by the hon. Member for Hull (Mr. Norwood), when he censured the hon. and learned Member for the Tower Hamlets (Mr. Bryce) for saying there was a clear line of demarcation between political and other crimes. Why, that was admitted by every man sitting on that side of the House.

Mr. NORWOOD: I said I protested against attempts to minimize the guilt of political offences.

Lord EDMOND FITZMAURICE said, the hon. and learned Member for the Tower Hamlets had denied that he had attempted anything of the kind; he said although, of course, treason and treason-felony were just as much crimes as the other acts specified in the Bill, nevertheless political crime, which was not what in Ireland would be called dirty crime, was not open to as much moral condemnation as crimes of violence. The question which the Committee had to decide was whether treason and treason - felony necessarily came within the scope of this Bill; and, looking at that question from what he trusted he should not offend anybody by calling the Whig point of view, he said emphatically that they ought not, even in appearance, to extend the Bill one inch further than they were convinced was necessary by the proved facts of the case. He was one of those who believed, in the first place, that Her Majesty's Government made a great mistake two years ago in not prolonging the Peace Preservation Act; and, in the second place, he believed they were again mistaken in not proposing a measure against crime in Ireland earlier in the present Session. If, then, the Government had, in his judgment, now gone beyond the necessities of the case, he saw no reason why he should not exert the same independence as on a former occasion when the policy of the Government went in a different direction. He agreed as to the absolute necessity for some measure of the kind now before them; but the true justification of that Bill was to be found within the four corners of the Report of the Committee of the House of Lords of last year, and in the Evidence given before that Committee, and Her Majesty's Government would search in vain in that Report and Evidence for anything to justify the suspension of trial by jury except in the case of agrarian offences. He would not weary the Committee at that hour with quotations; but if hon. Members would look at the statement of Mr. Justice O'Hagan, they would find reasons given for suspending trial by jury, but in reference to agrarian offences alone. What were the reasons given by right hon. Gentlemen opposite for going beyond the Report of the Committee of the House of Lords? The Committee had been asked what would be thought in Ireland and America if the Government were to yield upon this question of treason and treason-felony? But there were no limits to the area over which they might travel when once it was begun to ask questions of that kind. They were concerned only in doing that which they believed was right; and his answer was that if Her Majesty's Government thought it right to yield this point they would not be doing anything that would injure their reputation or impair the efficiency of this Bill. On the contrary, there was sometimes strength to be derived from making concessions; and he believed that neither the progress nor the efficiency of the measure would suffer by the Government conceding the point at issue. Again, the Committee had to ask themselves whether there was any proof that in regard to treason or treason-felony trial by jury in Ireland had broken down, as it undoubtedly had, with regard to murder and the other offences named in the succeeding lines of the Bill. On that point he had heard no answer to the able speech of his hon. and learned Friend the Member for Christchurch (Mr. Horace Davey), and the question could only be answered in the negative. He should, therefore, support the Amendment of his hon. and learned Friend; but if, in the course of next winter, it was found that juries in Ireland had refused to convict upon evidence in the case of prosecutions for treason, he should then be ready to vote for an extension of the Act. He would not, however, go one inch beyond the necessities of the case. He was willing to support Her Majesty's Government through all the rest of the Bill; and he repeated his belief that even now they might, with strength and dignity, make the concession asked of them.

MR. HEALY said, it was extraordinary that, while it was so often asked what would be thought in Ireland if the Government gave way on this question, hon. Members who supported the Bill never asked what would be thought in Ireland if the Government did not give way. He had been greatly amused by the concluding words of the hon. and learned Member for Rye (Mr. Inderwick), who said that, in mercy to the Irish people, this sub-section should be kept in the Bill—the mercy of the hon. and learned Gentleman reminding him of the pity of the Walrus for the Oyster, as described in *Alice in Wonderland*. The hon. and learned Gentleman also remarked that persons accused of treason were generally, or sometimes, estimable men; and, therefore, on that ground, it was more difficult to get a conviction. But would any Member of the House furnish a single instance in proof of this statement of the hon. and learned Member for Rye? Take the last trial for treason in Ireland—the case of Captain Mackay. Judge O'Hagan, who presided, actually shed tears at the trial; and the jury, and everyone present, were full of sympathy for a gentleman who now occupied a responsible position under the United States Government; but there was no hesitation on the part of any of the jury to convict. Now, that was the case 10 years ago, and it could not be alleged that 10 years had entirely changed the character of the Irish people. Therefore, he said, if there were convictions for treason and treason-felony 10 years ago in Ireland, there would be convictions hereafter. With regard to the observations which the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) had addressed to the Committee, he suggested that speeches of the kind should be reserved for sympathetic Conservative gatherings. Those gatherings did not know much about Ireland, and were probably ignorant that not only had there not been any trial for treason in Ireland during the last 10 years, but that, during this time, no person had been charged with treason before the magistrates. What, then, became of the contention of the right hon. Gentleman that because the sub-section was in the Bill it must remain there? Then there was the speech of the right hon.

Gentleman the Member for Ripon (Mr. Goschen), who said if the sub-section were struck out it would convey to the people of Ireland that treason was a lighter crime than the others named in the Bill. But, if that were so, he asked why forgery, bigamy, and rape were not also included in the Bill? Were these crimes less deserving of censure and condemnation than those to which the right hon. Gentleman had referred? The Government wished to bring the sympathies of the Irish people into conformity with their Acts of Parliament by the force of their majority; but he would tell them that, if those Acts could not be recommended to the Irish people by argument, they might as well not be passed at all. He asked the Government to consider what would be the result of placing treason in this category. For his own part, he believed the result would be that men guilty of murder, and the other crimes named, would say to themselves—"These are not 'dirty' crimes. It is as honourable to be tried for them as for treason, because the Government have treated them in the same way." He thought the Government would do well to look at the question from this point of view. The right hon. Member for Ripon went on to say they had Irish-Americans to deal with, and he reminded the Committee that it would have been a fortunate thing for the country if they had only to deal with their Irish fellow-subjects. It was a pity that was not thought of 30 years ago. Even now Irishmen were leaving for America at the rate of 5,000 a-week; and this Bill, which was to expel aliens from Ireland, would send more people to act as the drill-sergeants and pickets of disaffection in that country. He did not wish to dwell on the sympathy and support which Irish movements might derive from America; but he said if the American people had never existed the battle would be fought without the aid they had rendered. He asked the Government to consider whether they were proceeding in a manner that was likely to enlist the sympathies of the people of Ireland. For his own part, he believed that, by insisting on the clause as it stood, they were stimulating the extreme Party in Ireland; while, at the same time, they rendered the action of more moderate men simply impossible. In a recent debate in that House he was met from the opposite Benches with shouts of dissent when he said that there were hundreds and thousands of people in Ireland more irreconcilable than he was. Would any hon. Member be inclined to cry "No" to that statement, which he now repeated? It was into the hands of those people that the Government were playing. He said that he and his hon. Friends were placed between the upper and nether millstone—between the Government and the liberties of their country, which they were called upon to defend. Since they had taken that step they could not recede; and the Government, by their action, were driving men who were fighting Constitutionally and openly into the committal of terrible murders, such as that in Phœnix Park. He hoped the Government would yield, in some way, upon this point. He did not know how the Act was to be used, and nobody knew anything about the Statutes upon treason. The Attorney General for Ireland had stated that his hon. Friends were steeped to the lips in treason; and, therefore, the Government ought to prosecute him. Was open and avowed speaking on platforms, or writing in the newspapers, to be made treason? Until some definite statement from the Government was made upon that point, he hoped every opposition would be offered to this clause.

Mr. MARUM pointed out that the main question before the Committee was whether one offence was to be picked out from all others as essentially a matter not for a jury, and whether ground could be shown for leaving some offences to a jury, and not others. He did not propose to make a speech, but he would read a definition given by an authority on Constitutional Law—by a great authority—namely, Mr. Justice Blackstone. That Judge, after remarking that—

> "The antiquity and results of this trial for the settling of civil power has before been explained at large,"

said—

> "And it will hold much stronger in criminal cases, since in times of difficulty and danger more has to be apprehended from the violence and partiality of Judges appointed by the Crown in suits between the Government and the subject, than in suits between one Government and another, to settle the metes and boundaries of private property. Our law has, therefore, wisely placed this strong and twofold barrier of a pre-

> sentment and a trial by jury between the liberties of the people and the Prerogative of the Crown. It was necessary for preserving the balance of our Constitution to vest the Executive power of the laws in the Prince, and yet this power might be dangerous and destructive to that very Constitution if exerted without check or control by Justices of Oyer and Terminer occasionally named by the Crown, who might then, as in France or Turkey, imprison, dispatch, or exile any man that was obnoxious to the Government by instant declaration that such is their will and pleasure."

The rest of the extract he had intended to read was to the same effect, and went upon the ground that between the Crown and the public there ought to be the interposition of a jury, and that cases of treason-felony might be excepted, and other offences, as more affecting the public, might be left to the exceptional jurisdiction of the Judges.

MR. T. D. SULLIVAN said, that the Home Secretary, in making his case for this Bill, dwelt very much on the revival of secret societies in Ireland. The Committee would remember that when the Coercion Act was being passed last year very little was said about secret societies, because it did not serve the purpose of the Government to dwell on that subject. Now, however, a great deal was heard about secret societies, and it was because of the alleged existence and wide development of secret societies in Ireland that this clause with reference to treason and treason-felony was introduced into the Bill. If secret societies had recently extended their operations in Ireland, and if they had largely grown and developed in that country, it was reasonable to ask how that came to pass, and how long that state of things had existed? Secret societies must have attained this great development during the existence of the present Coercion Act. If there had been in Ireland a great extension of secret societies, he believed that was a natural and necessary consequence of the present Coercion Act; and for the same reason and in like manner the Coercion Act now before the Committee would cause a still further extension and development of secret societies in Ireland. The House and the country had been warned of that, and he had no doubt that before any very long time had passed the truth of these warnings would be made manifest. But he would ask the Committee how much weight was to be given to the statements of the Home Secretary with regard to Irish affairs at all? To the best of his judgment, the statements of the right hon. and learned Gentleman as to the present state of the country and its past history had been altogether misleading. He had told the Committee that night that secret societies were almost altogether political, and that they caused the committal of political murders and crimes of various kinds. That statement showed how much the Home Secretary knew about the facts of the case. For many generations the greater number of secret societies in Ireland had been, not political, but agrarian. They had sprung from agrarian and other oppression by Irish landlords, from evictions and rack-renting. What was the Ribbon Society? It was a society for the protection of oppressed and evicted tenants. The Whiteboys' Society was also an organization to resist agrarian oppression. The contention of the right hon. and learned Gentleman that secret societies in Ireland had been mainly political in their objects, and that the crimes resulting from them had been political, was altogether aside the facts of the case, and was unjustified by the history of the country. That must be the opinion of every man who had made any study at all of Irish affairs. The right hon. and learned Gentleman had referred to the Fenian Society, and had charged that society with murders and other crimes. Here, again, the right hon. and learned Gentleman entirely misrepresented the facts of the case. The Fenian Organization might be, perhaps, held accountable for the murder of certain informers and traitors, as they were considered; but he was not aware of any murders by them of political opponents outside the ranks of their society, and it was not fair with regard to Fenians, or any other political body, to make charges of this odious nature against them, when such charges were not borne out by the facts of the case. With regard to the trial of charges of treason or treason-felony before the new tribunal, notwithstanding all that was said, it ought to be apparent to every hon. Member in that House that there was a plain and definite reason why such offences should not be brought under the purview of this Bill. In cases of ordinary crimes, such as murder, arson, and firing at the person, it might be fairly contended that three Irish Judges would give any man a fair trial; but the case was utterly different in regard to political offences. There was not a man in Ireland who would have confidence in the Irish Judges as a tribunal without a jury to try political cases. Judges were men of strong political feeling; politics had been their trade; by politics they had obtained their position on the Judicial Bench. Again and again they had given evidence that their political feeling was very strong; and it was quite a common experience at the opening of Assizes in Ireland for the Judges to seize every opportunity of making political speeches. They had made political speeches from the judgment seat in Ireland to influence legislation in the House, and political opinion in England and Ireland. They were politicians, and would remain politicians to the day of their death; and it was exceedingly unfair and unjust that they should be put to try political cases. If that course was adopted, no confidence would be placed by the Irish people in the trials, and no respect would be shown for the decisions of the Judges. It had been truly said that the charge of treason or treason-felony was very wide and elastic. Its scope was enormous. In ordinary times the charge might not be much extended; but in times of excitement it would be extended to take in anything an Irishman might say or do. There had been evidence of that already. An hon. Member had been described in that House by one of the Law Officers of the Crown as being steeped to the lips in treason. How was that charge made out? There had been no evidence of it. The only circumstance that would give colour to that charge was the political speeches made in public by the hon. Member. If he was steeped in treason, so were they all who sat on the same Benches. There was not a man in Ireland who had taken an active part in politics for the last 20 years who could not be convicted under this Bill by the aid of the Irish Judges on a charge of having been steeped in treason, and be held deserving of penal servitude or the gallows. The Home Secretary would seem to imply, by the speech he had made, that if these offences were not included in the Bill there would be no law for dealing with them. That was the plain meaning of his language. He asked what would be done if these offences were left out of the Bill; and thereby he implied that there was no ordinary law for them. But there was the ordinary law of the land for dealing with such offences, and it had never been proved that the ordinary law had failed in regard to such cases. There was no evidence whatever that the law had failed in regard to treason or treason-felony; but it seemed to him that the House was getting so familiarized with the passing of Coercion Bills that there was nothing they would not consent to. Session after Session, for the last 50 years—indeed, since the Union—Coercion Bills had followed each other; and the House was becoming demoralized by the demands made upon them for the suppression of liberty in Ireland. It used at one time to be said that war was the national industry of Prussia; and it might, in like manner, be said that Coercion Bills for Ireland were the staple manufacture of the English House of Commons. As the Irish people had faced every other Coercion Bill, so they hoped to be able to face this one; and it was not Irish patriotism that would suffer from it; but it was the English law, and the reputation of the British Government, and the reputation of the House of Commons that would suffer in the end.

Mr. O'DONNELL said, he was certainly surprised to hear the Home Secretary state that the omission of this crime from the Bill would affect the public estimate of this particular crime. He could assure the Home Secretary that the opinion of the masses of the Irish people with regard to the moral obligation under which they were with respect to the British Government in Ireland would not be in the slightest degree affected by all the coercive powers at the disposal of Her Majesty's Administrators. The ex-Home Secretary (Sir R. Assheton Cross) wanted to know what possible assault upon political liberty was contained in a provision of this kind, by which accusations of treason and treason-felony were to be tried by three Judges? Did the right hon. Gentleman seriously mean to say that there was no assault upon political liberty when three Government nominees were to be empowered to sentence men to death, without further trial than their own investigation, upon accusations of crimes which were specially crimes against the Government? The very purpose and reason why such care had been expended upon persons accused of treason, so that they should be tried by juries—by men of their own condition—was that treason, being in a special sense directed against the Sovereign, the mere nominees of the Sovereign should not have the entire trial of such offences. Again and again it was assumed by hon. Members that trial by jury was admitted to have broken down in Ireland; but he emphatically, and entirely, and absolutely, denied that. In many cases there had been disagreements by juries, and acquittals; but the Committee had not before it the evidence upon which those juries had disagreed, or acquitted accused persons. There was not a man in the House competent to speak of a single case in which, while the evidence justified a conviction, the jury had acquitted the accused; or who could mention a case in which a jury had returned a verdict against the evidence. The Committee was asked to abolish trial by jury on the unsupported evidence given before the House of Lords' Committee. That Committee was a packed Committee, got together for the specific purpose of discrediting trial by jury in Ireland, and the Committee called just the sort of witnesses who would give the kind of evidence they required. It would have been just as easy to collect hundreds of witnesses who would have borne testimony to the general fairness and efficiency of trial by jury in Ireland. The Irish Members totally repudiated the evidence and conclusions of the Lords' Committee upon this matter. It was clearly a matter of abolishing the last vestiges of justice in Ireland, and some hon. Members were clearly disposed to despatch that system without delay. In considering this proposal, the Committee was bound to consider the main ground upon which the Government affected to make the proposal—namely, that they wanted to place the public opinion of Ireland on the side of law and order, and to stimulate the desire of the people to give evidence for the conviction of offenders. In what possible manner could a provision of this kind—by which any man accused of treason or treason-felony might be sentenced to death or penal servitude by a tribunal of Government nominees—operate to induce Irish witnesses, who otherwise would not give evidence, to come and give evidence before such a tribunal? If there was one provision more than another which was calculated to lock up in every Irish breast every secret which might otherwise be disclosed, it was a proposal of this kind; and he had no hesitation in saying that if he were absolutely aware of an act of treason committed by a man accused before three Judges without a jury, he would consider himself the most infamous of men if he volunteered to give evidence before such a tribunal. He believed that would be the universal feeling of the Irish people, and that instead of the few convictions which the Executive had obtained under this new *régime*, they would obtain no convictions whatever—at least, in the most serious class of cases. As against ordinary politicians, Irish Judges would be very ready to spell out crime and treason, just as hon. Members behind the Government were ready to spell out crime and treason from the more or less ill-reported speeches of the hon. Member for the City of Cork (Mr. Parnell). But in the case of the real criminals—the desperate persons against whom this Bill was ostensibly directed—he did not believe the Irish Judges would incur the odium or danger, without a jury, of sentencing to death formidable assassins who were also the accomplices of formidable assassins who were still at large. He did not believe that as against the really dangerous classes the Irish Judges would do their duty; and, furthermore, if the Government took the trouble to consult Irish opinion, they would learn that among the reasons why the police in Ireland were so slack and so unsuccessful in the discovery of dangerous and formidable assassins was that they found it much safer and much cheaper to accuse and hurry into death men who were not desperate men, but were men of moderate politics. The police did not like to handle the desperate characters. He found that the Party with which he had the honour to act had resolved to move Amendments upon this Bill, and he should follow the fashion and put down Amendments. He had an Amendment down practically the same as that now under discussion; but he entirely recognized the wisdom of the Leader of the Irish Party in giving precedence to the hon. and learned English Member (Mr. Horace Davey), who had this Amendment to move. He did not, however, believe that any Amendment of any consequence would be accepted by the Government; and, for his own part, he was perfectly satisfied to let the Bill go through in all its revolting and unmitigated brutality. He knew very well that behind this Bill there were higher considerations than that of justice. There were censors sitting behind the Government of whom the Government were afraid. This was called a Bill for the suppression of crime; but it was really a peace-at-any-price Bill, and the slightest Amendment would not be accepted. It was not inside this House, but outside, that the evils of the Bill would have to be dealt with. It was the Irish people who might be trusted to render the Bill innocuous.

Mr. PARNELL said, he was unwilling to ask the Government to give further time for the consideration of this Amendment, for he knew there were many hon. Members who had remained in order to vote for the Amendment, and possibly it might not be convenient for them to come down again to-morrow for a division. But he was so much impressed with the importance of the question, whether this sub-section was to stand in the Bill or not, that he felt bound to ask the Government to take further time, if only to the extent of one night, for the consideration of this matter. He did not suppose that anything he could urge to-morrow would be of much importance, and it would be useless for him to suppose that he could urge anything to change the fixed determination of the Government; but speaking with considerable knowledge of the state of affairs in Ireland, and with a full sense of the gravity of the position, he was bound to say that, so far as he could see, the retention of this sub-section in the Bill would make political or Constitutional action of any kind in Ireland impossible. He had been obliged to risk a good deal for the sake of carrying out what he believed to be the desire of the vast and overwhelming majority of the people. Peace and order ought to be restored in Ireland; but the Constitutional liberties of the people ought to be preserved. During the past six months he had gained considerable insight as to the opinion of Irishmen at home—a much greater insight than he had ever had before, and he believed it was the duty of any political Leader to march abreast of his people and those he had to lead, and not in advance of them; and he was convinced that if the Prime Minister had continued to pursue the true policy of conciliation which he had adopted, he would have found himself supported and assisted by the vast majority of the Irish people. He would ask the right hon. Gentleman to allow one more night. He would urge him, before he burnt his boats and broke down his bridges, to give them one night for the further consideration of this matter. He (Mr. Parnell) begged to move that the Chairman do report Progress, and ask leave to sit again.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Parnell.*)

Mr. GLADSTONE: It is not my desire, at this early period of the proceedings, to embark upon a war of divisions on the subject of reporting Progress; at the same time, I very much regret the demand which has been made by the hon. Member, though I make no accusations against the spirit in which it has been put forward, or the purposes for which it has been made. There are two questions to be considered, and the first is, whether the adjournment of this matter until to-morrow is requested for the purpose of producing an effect on the intentions of the Government, or whether it is requested because it is considered that the subject has not been sufficiently exhausted in this debate. I must own I think it cannot be on the latter of these grounds. I do not say this debate has been too long; but it has been a very full debate, extremely well conducted. A very large number of persons—an unusually large number —have taken part in it, and I must say I do not think that any amount of ingenuity can widen the circle of topics introduced into it, or can, at this stage, suggest a new argument. I say this after having listened with care to the earlier and later speeches of the debate. Then, Sir, on the part of the Government, I am bound to say it is not possible that, under the circumstances, there should be any change which would alter the position of the Government between to-night and to-morrow. I think the hon. Gentleman will himself see that

that is the case. For example, does the hon. Gentleman think it possible for the Irish Government to change its opinion upon the debate in the interval between to-night and to-morrow afternoon? He must see quite plainly that it could not be so; and I think he will feel with me that, as I have said, a contest in this matter might tend unnecessarily to prolongation, or to the introduction into the debate of a spirit which has hitherto not been noticeable in it, and that we shall all, including the hon. Gentleman himself, stand better, and be better, consulting the interests of the progress of Public Business, if he will consent to state to us the arguments—which, I have no doubt, he will state with great force—which he thinks are to be advanced against this proposal.

MR. MAGNIAC said, that, considering the magnitude of the subject under discussion, he might safely join in the appeal made by the hon. Gentleman opposite (Mr. Parnell). The Committee must be aware that many hon. Members sitting on that (the Ministerial) side of the House had felt, throughout the discussions on this Bill, in a position of very painful responsibility. The House had been described as composed of Members, some of whom had no knowledge and interest in Ireland, and some of whom had both a knowledge and interest in Ireland. He, for one, had a deep interest in the Irish people, and some little knowledge of them, and he ventured to think that the Committee would excuse him for taking the line he did—a line which he had adopted with a sense of deep responsibility. The particular offence they were dealing with was not a definable offence; it was defined by no Statute. Treason was not, and never would be, defined, and questions touching it which went before juries would always be matters of opinion. If this Bill were being passed for England, hon. Members, he thought, would be very reluctant to pass it in its present shape, and very strong reasons would be required to induce them to agree to the sub-section under discussion. He did not think sufficient reason had been shown why they should abolish trial by jury in cases of treason; therefore, he trusted the Government would favourably consider the appeal made by the hon. Gentleman opposite the Member for the City of Cork (Mr. Parnell).

MR. JOSEPH COWEN said, he had no wish whatever to prolong the discussion; but the suggestion he would make was this—that if the Prime Minister could give them an assurance that this Amendment would be taken into consideration, with a view to some concession being made on Report, probably the delay occasioned by a Motion for reporting Progress would be obviated.

Question put.

The Committee *divided*:—Ayes 28; Noes 201: Majority 173.—(Div. List, No. 103.)

Original Question again proposed.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Justin M'Carthy.*)

MR. GLADSTONE said, he did not, as he had stated, intend to enter into a prolonged contest on the subject; but when he was last on his legs he had omitted to make one observation that he might have made, and which the hon. Member for the City of Cork (Mr. Parnell), if he had been in his place, might have considered worth his attention. The hon. Gentleman had asked for further time to discuss this Amendment, and he (the Prime Minister) so far agreed with him, in view of the enormous importance the hon. Member seemed to attach to it, that he thought it perfectly fair that the hon. Gentleman, if he were dissatisfied with the decision of the Committee to-night, should take another opportunity of discussing it. He could raise the question again on Report. It was for the hon. Member to consider whether he would avail himself of that power or not; but now he (the Prime Minister) hoped that hon. Members would allow the Committee to proceed.

MR. PARNELL said, he was sure he had no more desire than had the right hon. Gentleman to enter into any contest with regard to Motions to report Progress or for adjournment. In moving to report Progress he had been simply animated by the enormous importance of the question. The right hon. Gentleman must not imagine that time would be lost if he (Mr. Parnell) and his Friends had an opportunity of consulting together. They had not anticipated that the Government would have insisted on going on any further with the Committee to-night, especially when no Member of the Government had attempted to justify the inclusion of the sub-section in the Bill, by showing that there had been a break-down in the jury system in any trial for treason or treason-felony during the whole of the history of Ireland. Since the Union the Crown had always been able to obtain convictions for treason or treason-felony; and his hon. Friends and himself felt that their position under the operation of the clause would be such that, if they attended open-air meetings, no matter how innocent their reasons or intentions, they would be liable to charges of treason or treason-felony to be tried by Judges turned into jurors—by men who had always been ranged against them in political strife. Someone had said that the right hon. Gentleman the Prime Minister himself might be charged with treason by some hon. Members on that (the Conservative) side of the House; and the question had been asked, under those circumstances, what would be the right hon. Gentleman's position if he went over to Ireland? No doubt, his position would be perfectly safe; because the public opinion of Great Britain, or a section of it—be it the majority or the minority—would from time to time prevent any abuse of the law against him. But that would not be so with the Irish Members. They in Ireland had no public opinion to depend on, except the public opinion of the people of Ireland, and they knew that such public opinion would be powerless to protect them. They knew how easy it was for any skilful politician to enlist the weight of public opinion in England against any Irish politician. They felt, then, very strongly indeed that this was not a power which ought in any way to be given to the Crown, this power of being both Judge and jury in political cases, least of all should it be given in a country like Ireland, which was so exceptionally situated as to the means it had for making its public opinion felt. The right hon. Gentleman had said—"Postpone what you have to say until the Report;" but experience had shown him that unless they could make some considerable impression on the Government in Committee in regard to a question of this kind, there was very little use in hoping for further action on the Report. In the absence of any hope held out to them by the right hon. Gentleman that the ears and the minds of the Government were still open to their arguments, they could not, he feared, put off the consideration of this matter until the Report, when they would have no hope of discussion ending in any beneficial result.

Question put, and *negatived.*

Original Question again proposed.

Mr. HEALY said, he was glad his hon. Friend the Member for the City of Cork had taken the step he had, because he considered it would be his duty, before they assembled in the House again, to consult his Colleagues as to the future action to be taken by those who had had the conduct of the agitation in Ireland during the past few years if the Amendment were not accepted. Hon. Members on that (the Opposition) side, who spoke with a sense of responsibility, especially on the matter of the future conduct of agitation in Ireland, should consult together and say whether they should any longer keep up any pretext of open agitation, or whether they should tell the Irish people that all free speech was at an end because their leaders would always be speaking at the mercy of an Executive Government. He would ask the Government what responsible man, or men, of independent thought, would make speeches in Ireland when they knew that they were at the mercy of some miserable Crown prosecutor in the pay of the Government. He thought the agitation now in Ireland had reached its crisis. He trusted his hon. Friend would press the Government still further to give way, and with that view he would move that the Chairman do report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Healy.*)

Mr. GLADSTONE said, the Government did not propose to offer further opposition to the proposal.

Motion *agreed to.*

Mr. SCLATER-BOOTH said, he wished to call attention to the difference between the tone adopted by the Government in yielding to the Motion to report Progress on this occasion, and the tone they assumed on a recent occasion, when the Leader of the Opposition, and a minority of 150 Members, desired the adjournment of the second reading of the Arrears of Rent (Ireland) Bill. The Government had taken the whole time of the House for the consideration of this Bill; and hon. Members might assume that the Government had made up their minds that the Bill, as it stood, was essential for the administration of affairs in Ireland. Of course, Amendments might be proposed and debated; but the House had a right to expect that the Government, having taken all the time of the House, would show some determination in prosecuting the measure to which they attached such importance.

Sir **WILLIAM HARCOURT** complained of the attempt on the part of the right hon. Gentleman to introduce an element which had been conspicuously absent during the evening. The House had been engaged for more than eight hours in the discussion of the Bill; they had been discussing what everybody admitted was a very important clause; and surely 1 o'clock in the morning was not too early to consent to the Motion to report Progress. He did not think the Government could be fairly charged with any want of seriousness in prosecuting the Bill.

Mr. **GORST** observed, that that was not the charge preferred against the Government. His right hon. Friend (Mr. Sclater-Booth) very properly called attention to the difference between the tone in which the adjournment was assented to, and the tone which was used towards the whole of the Opposition, on an occasion when the Leader of the Opposition desired further debate upon a measure of first-rate importance. He joined with the Home Secretary in deprecating the observations of the right hon. Gentleman (Mr. Sclater-Booth), because such observations were quite useless. It was part of the Government policy to show consideration to those who resolutely and determinedly opposed them; and when his right hon. Friend had steeped himself in treason to the lips he would, no doubt, receive some consideration from the Government.

Mr. **O'DONNELL** protested against the comparison that had been drawn by the Front Opposition Bench. He protested altogether against the pretence to put on the same footing the claim of the Representatives of a nation, threatened with total deprivation of its liberties, and the claim of an English Opposition Party, seeking Office above all things, to a further opportunity of spinning out a discussion on a Bill which their Party intended, as soon as they obtained coercion for Ireland, to throw out, either in this or the other House. They might listen with some impatience to the observations of the Irish Members when they knew that the Bill was sure to pass, and that they had the power, which they intended to use, of throwing out the Bill of a remedial character.

Committee report Progress; to sit again *To-morrow.*

MOTIONS.

COUNTY COURTS (ADVOCATES' COSTS) BILL.

On Motion of Mr. Hastings, Bill to amend the Law relating to the Costs of Advocates in County Courts, *ordered* to be brought in by Mr. Hastings, Sir Eardley Wilmot, Mr. Staveley Hill, and Mr. Rowley Hill.

Bill *presented,* and read the first time. [Bill 188.]

WELLESLEY BRIDGE (LIMERICK) BILL.

On Motion of Mr. Courtney, Bill to amend "The Limerick Harbour (Composition of Debt) Act, 1867," in relation to Wellesley Bridge, *ordered* to be brought in by Mr. Courtney and Lord Richard Grosvenor.

Bill *presented,* and read the first time. [Bill 189.]

PUBLIC OFFICES SITE BILL.

Ordered, That the Select Committee to which the Public Offices Site Bill is referred consist of Eleven Members, Seven to be nominated by the House, and Four by the Committee of Selection:—Mr. Shaw Lefevre, Sir Henry Selwin-Ibbetson, Sir Edward Reed, Mr. Beresford Hope, Mr. Arthur Arnold, Mr. Macfarlane, and Mr. Brand, *nominated* Members of the Committee, with power to send for persons, papers, and records; Three to be the quorum.

Ordered, That all Petitions presented against the Bill be referred to the Select Committee on the Bill, provided such Petitions are presented three clear days before the meeting of the Committee, and that such of the Petitioners as pray to be heard by themselves, their Counsel, or Agents, be heard upon their Petitions, if they think fit, and Counsel heard in favour of the Bill against the said Petitions.

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Friday, 2nd June, 1882.

MINUTES.]—Public Bills—*Second Reading*—Inclosure (Arkleside) Provisional Order* (92); Inclosure (Bettws Disserth) Provisional Order* (93); Inclosure (Cefn Drawen) Provisional Order* (94); Local Government (Ireland) Provisional Order* (95); Gas Provisional Orders* (96); Water Provisional Orders* (97).

Third Reading—Petty Sessions (Ireland)* (89), and *passed.*

EAST AND WEST INDIA DOCK EXTENSION BILL.

Bill *reported* from the Select Committee with Amendments.

The Earl of CAMPERDOWN, in moving that the Bill, after Report, be re-committed to the same Committee, said, that the Motion was of an unusual character. The East and West India Dock Bill was one which affected rival Companies. It was submitted to a Select Committee, of which he was the Chairman. In the course of the inquiry a clause was proposed by one of the parties, and assented to by the other, that no Railway Company should give a preference to one Company over the other in the matter of rates and facilities. As there appeared to be no objection to the clause on public grounds, the Committee assented, the clause was introduced, and the Bill reported. After the Committee had reported, the Railway Company made an application representing that they had received no notice of the matter, and that their interests were concerned. Thereupon the Committee, after consideration, came to the conclusion that the Company ought to have an opportunity of stating their objections to the clause; and, in order to give a fair hearing to their case, he now moved that the Bill be re-committed.

Moved, "That the Bill be re-committed to the same Select Committee."—(*The Earl of Camperdown.*)

The Earl of REDESDALE (Chairman of Committees) said, there was no objection to the course proposed by the noble Earl, who had been Chairman of the Committee.

Motion *agreed to;* Bill *re-committed* accordingly.

The Committee to meet on *Monday* the 12*th instant,* at Eleven o'clock.

House adjourned at half past Four o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 2nd June, 1882.

MINUTES.] — Private Bills (*by Order*) — *Considered as amended*—Manchester, Sheffield, and Lincolnshire Railway and Cheshire Lines*; Melton and Hollesly Bay Railway*.

Public Bills — *Ordered* — *First Reading*—Government Annuities and Assurance* [190].

First Reading — Married Women's Property* [191].

Committee—Prevention of Crime (Ireland) [157] —r.p. [*Third Night*].

Considered as amended—Artillery Ranges* [183].

Third Reading—Poor Rates* [171], and *passed.*

QUESTIONS.

VACCINATION ACT, 1867—PROSECUTIONS (JOHN SAVAGE).

Mr. HOPWOOD asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the case of John Savage, of Kinsale, county Cork, who, for refusing to have his child vaccinated because, as he alleged, a child of his previously had suffered from its effects, and he had besides seen two children of neighbours dead, as he believed, through its operation, has been twenty-six times prosecuted and fined for his refusal, his effects distrained upon and sold, and is now under the order of the justices for a similar fine; whether he has petitioned the Lord Lieutenant upon the subject, and with what result; and, whether the Government of Ireland will consider the propriety of such repeated prosecutions with a view to their restraint? He wished also to ask whether the Chief Secretary would consider the propriety of sending to the Boards of Guardians recommendations after the manner of the English Local Government Board with regard to the number of prosecutions to be made?

Mr. TREVELYAN, in reply, said, he found that John Savage, of Kinsale, had petitioned his Predecessor on the subject referred to in this Question. He represented himself as having been summoned 27 times, and having been fined 11 times for one child and twice for another. The late Chief Secretary appeared to have given very careful attention to the case; and, after consideration with the Vice President of the Local Government Board, he informed Mr. Savage that the Board did not consider it their province to interfere with the discretion vested in the Boards of Guardians in reference to prosecutions under the Compulsory Vaccination Act. He would, however, make further inquiries.

ARMY (AUXILIARY FORCES)—VOLUNTEER CORPS—TRAVELLING ALLOWANCES.

Mr. RANKIN asked the Secretary of State for War, Whether he has any intention of proposing any alteration in the present system of travelling allowances to the head quarter companies of Volunteer Corps, whereby they only receive two shillings and sixpence per man when the regimental camp is held more than five miles distant from the head quarters, whereas the outlying companies receive five shillings per man, although the camp may be within five miles of their locality?

Sir ARTHUR HAYTER: Yes, Sir; it is in contemplation to give the travelling allowance of *5s.* per man to the head-quarter batteries of Artillery Volunteers, since they have to proceed to considerable distances to camp for heavy gun practice. It is not, however, intended to increase the travelling allowance for the head-quarter companies of the Infantry Volunteers. It must be remembered that the sum granted is intended to form a fund to defray, or help to defray, travelling expenses for the whole corps, and not to be allotted to particular companies.

ARREARS OF RENT (IRELAND) BILL, CLAUSE 1—EVIDENCE.

Mr. VILLIERS STUART asked Mr. Attorney General for Ireland, Whether, under Clause 1, of the Arrears of Rent (Ireland) Bill, the Commissioners may accept joint affidavits from landlord and tenant, countersigned by the Land Court Valuer, or other competent authority (after examination of the office books), as sufficient evidence that the amount of antecedent arrears claimed is due, and that the tenant is unable to pay the same?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, the 1st section of the Arrears Bill provided that it must be proved to the satisfaction of the Commission that the tenant was unable to discharge the antecedent arrears; and under the 7th section they had the power to make rules for applications under the Act, and the conduct of proceedings before any tribunal for hearing these applications. The Land Commissioners had practically, under the Land Act, all the jurisdiction of the Judges of the High Court; and it was part of their jurisdiction to take evidence, both orally and by affidavit, or either way as they thought fit. It might, therefore, be left to the Land Commissioners to decide in what way evidence might be taken in these cases.

Mr. VILLIERS STUART asked, was he to understand that there was nothing in the Act to prevent the taking of evidence in the manner specified in his Question?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, there was nothing in the Act about the evidence of a valuer. The Commissioners had power to take evidence, either orally or by affidavit; but it must be proved to their satisfaction that the tenant was unable to pay.

AFRICA (EAST COAST)—ZANZIBAR—THE SLAVE TRADE.

Mr. DONALDSON-HUDSON asked the Under Secretary of State for Foreign Affairs, Whether it is true, as stated in the "Times" of May 30th, that a large slave trade is carried on between the Islands under the dominion of the Sultan of Zanzibar and the interior of Africa; and, if so, whether Her Majesty's Government will take steps towards the suppression of the traffic?

Sir CHARLES W. DILKE: Sir, all the information on the subject in the possession of Her Majesty's Government is contained in the Blue Book on slave-trade matters presented to Parliament this year, from which it will be seen that Her Majesty's Government are taking all the steps in their power to suppress the traffic.

SOUTH AFRICA—CETYWAYO, EX-KING OF ZULULAND—ABANDONMENT OF VISIT TO ENGLAND.

SIR WILFRID LAWSON asked the Under Secretary of State for the Colonies, Whether he has any objection to lay upon the Table the Correspondence which has passed between the Colonial Office and the Cape Government, touching the abandonment of Cetewayo's visit to England, and also touching his continued captivity?

SIR CHARLES W. DILKE: Sir, in the absence of my hon. Friend the Under Secretary of State for the Colonies, I have to say that the Correspondence on the subject is being prepared for publication, and will be laid before Parliament.

LAW AND JUSTICE—HAMMERSMITH AND WANDSWORTH POLICE DISTRICT.

MR. FIRTH asked the Secretary of State for the Home Department, Whether the Commission which recently investigated the matter reported in favour of the division of the Hammersmith and Wandsworth Police District; and, if so, whether it is proposed to carry such recommendation into effect, in order that Hammersmith may be constituted into a separate Court, competent to deal with the increasing business now devolving upon it?

SIR WILLIAM HARCOURT: Yes, Sir; I am very anxious to have the arrangement which has been recommended carried out.

SOUTH AFRICA (THE TRANSVAAL)—THE BOERS AND NATIVE TRIBES.

MR. ASHMEAD-BARTLETT asked the First Lord of the Treasury, Whether his attention has been called to a letter in the "Standard" of May 31st, from Pretoria, in the Transvaal, which gives many details with regard to the cruel persecution by the Boers of natives in and on the borders of the Transvaal, in revenge for their support of the British cause during the late war, and particularly to the cases of three loyal native chiefs named Montsion, Monkoroane, and Kalafri; whether the chief, Montsion, who received and protected during the war numbers of refugees from Boer rapacity, was first attacked by a Boer commando, assisted by other chiefs whom the Boers instigated to attack him, and has since been constantly harassed by these chiefs, aided by large numbers of Boer volunteers, while the British authorities in South Africa have orders to prevent volunteers or ammunition from reaching Montsion for his defence; whether the chief, Kalafri, and his tribe, because "they had English sympathies," have been utterly ruined by a fine of 10,000 head of cattle imposed by the Boers; and to quote the words of the correspondent—

> "This tribe is small and weak, which the Boers well knew. The women, with children in their arms, pleaded in vain to the Boers to leave them something or they would starve, but the latter only jeered at them;"

and, whether Her Majesty's Government will take prompt measures to protect these loyal natives, and if England will not step in and insist on the Boers putting a stop to this murderous war, if she will not prevent these poor natives from obtaining ammunition and assistance to enable them to defend their country?

MR. GLADSTONE: Sir, the attention of the Government has been called to the matters contained in the letter referred to. I am not able to enter at large into the details; but I can state this—that hostilities have been going on for some time between the Chief called Montsion and other Chiefs and a certain number of Boers who have taken part in these hostilities. Under these circumstances, representations have been made to the Transvaal Government on the subject, and we have urged that Government to prevent any violation of its neutrality. It has also been the duty of the British authorities to warn British subjects against any violation of neutrality.

PARLIAMENT — BUSINESS OF THE HOUSE—MORNING SITTINGS.

SIR R. ASSHETON CROSS asked whether Morning Sittings would be abandoned while precedence was given to the Prevention of Crime (Ireland) Bill?

MR. GLADSTONE, in reply, said, it was not intended, for the present, to propose any other arrangement than a Morning Sitting on Tuesdays. The House would, therefore, meet at 4 o'clock on Fridays.

EGYPT (POLITICAL AFFAIRS).

SIR GEORGE CAMPBELL: I beg to ask the Prime Minister whether any confirmation has been received of the telegram alluded to by him as showing that Arabi Bey "has thrown off the mask and declared his intention of openly proceeding to depose the Khedive;" or whether, on the contrary, Arabi professed himself a true servant of the Khedive?

SIR CHARLES W. DILKE: If the hon. Member will refer to the Papers, he will see how far Arabi has expressed himself a servant of the Khedive. With regard to the proposed deposition, no further steps have been taken.

MR. JOSEPH COWEN: I wish to know whether my hon. Friend the Under Secretary of State for Foreign Affairs has received any information as to the acceptance or refusal of the proposed Conference by the other Powers?

SIR CHARLES W. DILKE: We have every reason to suppose that the Conference will be accepted by them, because all the Ambassadors in London have held friendly language with regard to it, and all the Foreign Ministers in foreign capitals have held language equally friendly to it. There has been no formal acceptance up to the present time.

SIR H. DRUMMOND WOLFF: Is it true that the French Government proposed to the other Powers the expediency of appointing Prince Halim as Khedive?

SIR CHARLES W. DILKE: That is a question which is not at all within the range of practical politics at the present moment; but some reference to the matter in the past will be found in the Papers.

SIR WILFRID LAWSON: I wish to ask the Under Secretary of State for Foreign Affairs whether he has received confirmation of a telegram which appears in *The Daily News* of to-day. The telegram states distinctly that the English and French Consuls have—

> "Advised the Khedive to summon Ragheb Pasha to the Palace and intrust him with the formation of a Ministry. The French Consul is said to be the author of this scheme to settle the difficulty, which has been accepted by the British Consul General. Besides being a cripple and suffering from paralysis, Ragheb Pasha is one of the old school, with a very bad reputation, and was the author of the once famous national financial project, a man of anti-European sentiments, and pledged to destroy Anglo-French influence in Egypt?"

SIR CHARLES W. DILKE: No, Sir; we have received no confirmation of that report, and have heard nothing whatever on the subject.

MR. BOURKE: I should like to ask the Under Secretary of State for Foreign Affairs two Questions—First, whether he can give the House any more information than he was able to afford yesterday with reference to the earthworks which are said to be erected in the harbour of Alexandria; and, also, whether the French Government have yet consented to the publication of the Papers up to the latest period? I understood yesterday from the hon. Baronet that he could only lay the Papers up to January upon the Table; but I trust we shall have them up to a much later date.

SIR CHARLES W. DILKE: With regard to the Papers, we have not yet received any answer from the French Government. My impression is their consent was asked, not yesterday, but to-day. With regard to the earthworks at Alexandria, there are, undoubtedly, some earthworks that have been thrown up; but they are not armed in any way. Sir Beauchamp Seymour has been in communication with the Government on the subject.

MR. BOURKE: Has any communication been made to the Egyptian Government on the subject of the earthworks?

SIR CHARLES W. DILKE: No, Sir; not at present. It is desirable that I should state in advance that I do not think it would be proper for me to answer any Questions that might be addressed to me next week on the subject of these earthworks, because there might be matters passing in respect of them on which it would be undesirable to speak. I can only say that the matter has not escaped the attention of Her Majesty's Government.

MR. MACFARLANE: I wish to ask, whether the Representatives of the Western Powers in Egypt have conveyed to Arabi Pasha that they hold him responsible for the safety of the Khedive; and, if not, whether they will consider the propriety of doing so?

SIR CHARLES W. DILKE: Some considerable time ago the Representatives of the Western Powers conveyed to Arabi Pasha, in pretty general terms, the intention of the Government to hold him responsible for the maintenance of order in Egypt.

Mr. BOURKE: I beg to give Notice that on Monday I will ask the Under Secretary of State for Foreign Affairs another Question with respect to further Papers on Egyptian Affairs. I will ask him whether the Government of England has not agreed with the Government of France for the production of Papers up to a later date?

PREVENTION OF CRIME (IRELAND) BILL, CLAUSE 1—ALLEGED RESIGNATION OF JUDGES.

Mr. HEALY asked Mr. Attorney General for Ireland, Whether there was any truth in the report of the intended resignation of many of the Irish Judges; and whether, before the passing of the 1st clause of the Bill, the Government would inform the House of the new appointments? Further, he wished to know whether it was a fact that Mr. Murphy, a son-in-law of Judge Keogh, was likely to be appointed? Also what reply, if any, had been given to the unanimous Memorial sent by the Irish Judges to the Government, declaring that the Bill in its present form was calculated to seriously impair the confidence of the Irish people in the maintenance of the integrity of the judicial system?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): I can only say that I am unable to answer that series of Questions without further information.

Mr. HEALY said, he begged to repeat the Question to the Prime Minister. He wished to know what answer had been given to the declaration of the Irish Judges; whether any resignations, or notices of intended resignations, among the Irish Bench had been received; and, whether it was intended to appoint Mr. Justice Keogh's son-in-law, or any other creature of the Government? [*Cries of* "Order!"]

Mr. GLADSTONE: Sir, with regard to the first Question of the hon. Gentleman, I shall be much obliged to him if he will put it upon the Paper, because my memory does not serve me as to the channel through which the Memorial has reached the Government, or the formal steps that have been taken with respect to it. Of course, the hon. Member will have a proper answer if the Question be put on the Paper. With respect to the resignation of the Irish Judges, I am very much in the same position as my right hon. and learned Friend the Attorney General for Ireland, for I have no information on the subject, and I am, I must say, in a somewhat incredulous frame of mind, up to the present time, with regard to it; because I think it is probable—indeed, it is highly probable—that a rumour of that kind has arisen from the fact that Her Majesty has been pleased to approve of the appointment of an Irish Judge to the position of a Law Lordship in the House of Lords, thereby creating a vacancy on the Irish Bench. As to filling up that vacancy, no communications have taken place with the Lord Lieutenant; but I am quite sure that when any decision is taken on the matter, it will be taken with a due sense of its importance, and with a careful regard to all the considerations involved.

Mr. HEALY asked, whether the Government would inform the House, before Clause 1 of the Bill was passed, what person had been appointed to fill the vacancy?

Mr. GLADSTONE: That is a matter primarily for the consideration of the Irish Government, and especially of the Viceroy; and we have had no communications with them on the subject.

COMPANIES' ACTS, 1862 & 1867—DIRECTORS OF COMPANIES.

Mr. P. MARTIN asked Mr. Attorney General, Whether his attention has been called to a decision made by Mr. Justice Fry on the settlement of the list of contributories in the winding up of the Electric and Magnetic Company, Limited, and reported in the "Morning Post" of the 22nd May, whereby it appeared that a gentleman who had permitted his name to be advertised as chairman of a company, and applied for shares to qualify him as a director, and who had attended and presided at several meetings of the board, was struck off the list of contributories by reason of his having withdrawn his application for shares a short time previously to the company going into liquidation; whether for the protection of the public he will consider the desirability of so amending the law as to secure that gentlemen who permit their names to be published as directors and attend board meetings shall not be allowed on any technical grounds to escape liability from the just demands of the creditors of the company over which they have so acted as directors; and, whether there is any probability of early legislation on this matter?

THE ATTORNEY GENERAL (Sir HENRY JAMES): Sir, my attention was not called to this Question until I saw it on the Paper; but I have made inquiries, mainly of the learned counsel engaged in the case, and he informs me that the decision of Mr. Justice Fry only followed a precedent laid down by the Court of Appeal, and that there was really no contract at all which could be enforced.

ORDER OF THE DAY.

PREVENTION OF CRIME (IRELAND) BILL.—[BILL 157.]

(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. [*Progress 1st Jnne.*]

[THIRD NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

PART I.

SPECIAL COMMISSION.

Clause 1 (Special Commission Court).

Amendment proposed, in page 1, line 17, to leave out the words "treason or treason felony."—(*Mr. Horace Davey.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

SIR WILLIAM HARCOURT said, it might be for the convenience of the Committee if he were to state at once the views of the Government with respect to the question raised upon this clause. A discussion took place yesterday as to the period which was to apply to the operation of the Court, so far as the questions of treason and treason-felony were affected; and he admitted, on behalf of the Government, that those offences ought not to be placed upon the same footing as the other offences specified in the clause. So far as regarded the period when the Bill came into operation, the Government had carefully considered the matter, and they were prepared to amend the clause so as to provide, in respect of treason and treason-felony, that the Bill should not have a retrospective action, but that it should apply only to offences committed after the Act had come into operation. As regarded other offences the Act would remain unaltered.

MR. PARNELL said, that the decision of the right hon. and learned Gentleman the Home Secretary was satisfactory as far as it went; but he regretted very much that the right hon. and learned Gentleman did not feel it his duty to go further, and to state to the Committee that he was prepared to give up the sub-section altogether. He did not imagine that the Government wished to proceed in any vindictive spirit in regard to past offences; but it must be borne in mind that various Members of that House might have spoken in Ireland in the course of the agitation which had been carried on during the last few years; and he certainly thought the concession went a very little way in removing the objections which were entertained to the sub-section as it stood in the Bill. The offences of treason and treason-felony were highly constructive, and, unless a person carried a legal guide in his pocket, it would be almost impossible to be perfectly sure that on every occasion he was avoiding the meshes of the Statute relating to these offences. He wished to point out to the Committee that there had been an entire absence of any attempt on the part of the Government, or on the part of any speaker, in support of this sub-section to justify it in any way whatever. He had asked the right hon. and learned Attorney General for Ireland yesterday whether he could mention any instance in which a jury had not been able to decide according to the weight of evidence in any trial for murder in Ireland during the last two years, and the right hon. and learned Gentleman had not taken up the challenge. He would now again ask the right hon. and learned Gentleman if he could recollect any instance in the whole criminal jurisprudence of Ireland, during the last century, in which a jury had failed to decide in accordance with the weight of evidence in a trial for treason or treason-felony? He was willing to allow the right hon. and learned Gentleman to go back for 100 years, and he would challenge him to produce a single instance in which an Irish jury had ever failed to decide against the weight of evidence in the case of a person accused of treason or treason-felony. A good many instances might be cited in which men had been convicted of these offences. If they took the Rebellion of 1798, if they took the abortive Rebellion of 1848, or Robert Emmett's ill-starred attempt in 1803, or the attempts that were made in 1865 and 1867, it would be found that in all those rebellious movements scores and scores of persons were convicted by Irish juries on charges of treason and treason-felony. They were, therefore, entitled to have some sort of ground and foundation for the claim of the Government that these offences should be placed outside the ordinary Constitution. It had, unfortunately, been the habit of the right hon. and learned Gentleman the Home Secretary, in the discussions upon this clause, to endeavour to impute to everybody who wished to except a certain offence from the provisions of the section sympathy with the offence sought to be excepted; but he (Mr. Parnell) wished to point out that up to the present time it had always been considered that accused persons were innocent until they were proved to be guilty; and when hon. Members desired to observe the ordinary Constitutional safeguards and the ordinary forms of law provided for accused persons in Ireland, even in the case of persons accused of treason and treason-felony, it was very hard they should be charged with sympathy with those crimes, and accused of acting in the interests of murderers and treasonable persons. He would himself answer the question he had addressed to the right hon. and learned Attorney General for Ireland. There had been one exception during the whole course of the last 100 years in which an Irish jury failed to decide according to the weight of evidence. He referred to the trial of Sir Charles Gavan Duffy, in 1848, on the charge of high treason. Sir Charles Gavan Duffy was tried twice for his life, and he was saved on each occasion—he (Mr. Parnell) would not say from death, but certainly from penal servitude—by one or two of the jury having held out against the majority. But what would have been the fate of Sir Charles Gavan Duffy under this Bill? It must be borne in mind that Sir Charles had since been knighted by the Queen; that he had become Premier of Victoria and Speaker of the Legislative Assembly there. What would have been his fate if tried by a Special Commission under this clause? Beyond doubt he would have been sentenced to death; and although that death sentence would probably have been commuted to penal servitude for life, Sir Charles would, at all events, have been degraded, and a gentleman who had since proved himself a most brilliant statesman and a distinguished ornament to the literature of this country and of the Colonies would have been disgraced. It was a remarkable fact that political prisoners in this country were treated like ordinary criminals. There was no special treatment for persons convicted of political offences; but they were treated as degraded felons, and as if they had been guilty of crimes of the most atrocious and abominable character. The Committee had been reminded, over and over again, of what took place at Portland and Dartmouth, and they appeared to be forgetful of all those feelings of humanity which animated the Prime Minister when he interfered on behalf of the Neapolitan prisoners. He (Mr. Parnell), and those who thought with him, claimed, on this ground also, that the safeguards of the Constitution should not be removed, and that political prisoners in Ireland, with such a dreadful fate before them as that involved in penal servitude, should not be deprived of the Constitutional guarantees promised to them when the Act regarding treason and treason-felony was passed. When that Act was placed before Parliament —it was introduced by Sir John Romilly, and its object was to alter the character of treason to a considerable extent, and to do away with the death punishment. It was expressly defended by Sir John Romilly, on the ground that the accused person would always have the Constitutional safeguard of trial by jury. That declaration was made in the year 1848, when the times were tenfold more troublesome in Ireland than they were now, and when outrages and murders of every description were threefold as numerous. Sir John Romilly, in bringing in the Crown and Government Security Bill, said—

> "The mode in which persons are to express their intention of committing these crimes is

either by printing, writing, or by open and advised speaking. No speaking can fall within the penalty of these statutes unless it be such as is used for the purpose of levying war, by force to compel the Queen or this House to take certain measures without which force they would not be disposed to adopt them. You must also have a jury of twelve men, who shall be of opinion that the speaking has been of such a nature as is calculated for the purpose of levying such war. The Act limits the nature of the evidence to be given, and requires the evidence of certain overt acts to be given, such as printing, writing, and open and advised speaking. It has been frequently observed that speaking is liable to much misrepresentation, and that you have frequently words reported not supposed to have been spoken. In these cases the difficulty of proof will form a safeguard for the accused; and the party, as I said before, must be tried by a common jury. He will have the benefit of that jury; and I have always heard it said that it was part of our Constitution to have confidence in the verdict of a jury; and I do not think you will get juries to convict unless they are convinced that the open and advised speaking was of such a nature as that pointed out by the statute."—[3 *Hansard*, xcviii. 97-8.]

In that passage there was evidently an admission on the part of the Solicitor General for England, which position Sir John Romilly then occupied, that he would not be justified in asking the assent of the House of Commons to the Bill in reference to treason-felony, unless it was provided that the person accused should have the benefit of a jury. Sir John Romilly did not foresee that the time would arrive when, in a much more tranquil state of society, all the Constitutional guarantees for the life and liberty of the subject would be suspended in Ireland, and advantage would be taken of such Acts as this to put men in danger of their liberty for offences of this character. It had been said that it was very difficult to prove high treason as regarded public speaking. The question was, what constituted high treason? Mr. Justice Stephen laid down that almost every political riot was high treason; so that if at a meeting in Ireland a riot took place between the police and the people—as happened in Dublin just before the arrests last October—the Judges would be entitled to hold that it was an act of high treason, and that all persons accused of participating in it could be tried under this provision. The Government would be further entitled to hold that words spoken at a public meeting on such an occasion, however innocently they were spoken, were intended to be an incitement to riot and levying war against the Crown. It had been said by the Home Secretary that what he wanted to reach was treasonable societies that were worked by means of murder and outrage. If the right hon. and learned Gentleman wished to reach treasonable societies that were worked by means of murder and outrage, he had a way open to him in the subsequent sections of this Bill which applied to murder. If there were treasonable societies in existence in Ireland which were worked by means of murder and outrage, those societies were not only treasonable societies, but they were murderous societies; and under the Law of Murder, which, according to the statement of the Home Secretary yesterday, was a Judge-made law, and not a mere constructive law, they could be dealt with. The law regarding treason and treason-felony rested upon Statute Law. The Government had perfect liberty to indict persons belonging to such societies, if it could be shown that they had knowledge of such murderous intentions on the part of any member of such societies, and the Judges would hang them upon conviction. They did not require—he might almost say, to sanctify murder by identifying it. They had a remedy straight and direct. That remedy was by proceeding against the offence itself, which they said they desired to reach. They had every opportunity of punishing murder and outrage, under a subsequent subsection of the Bill, without mixing political offences up with the matter at all. He hoped it was not yet too late to influence, if possible, the mind of the Government in regard to this matter. He believed, as he had said last night, that they had a favourable opportunity in Ireland, at the present moment, for restoring law and order if they did not proceed in a vindictive fashion. If they sought to proceed in a vindictive fashion, and to take away all the rights of the Irish people, he feared that their measure of conciliation, which was to follow, would prove a failure. They made a great mistake last Session in carrying a Coercion Bill before proceeding with their remedial measure. He was convinced that if they had proceeded at the commencement of last Session to carry their Land Act, it would have met with a different reception, and would have had a very much better trial at the hands of the Irish people. In the same way he believed now that very much of the good effect of the Arrears Bill would be lost if the Government insisted on proceeding with this vindictive Coercion Bill. The Irish people were a very susceptible people; they were very quick to recognize any reliance on their honour and their good feeling; and if the English Government relied more on the honour and good feeling of the Irish people than they were in the habit of doing, they would find their task of governing Ireland very much easier than it had been. They had, unfortunately, relied too much on their brute strength; they had used that brute strength from year to year, and from century to century; and where had it left them? It had left them in a state, which, according to the Prime Minister, had never been equalled in intensity in Ireland. Was it not time, then, to turn over a new leaf and reverse the evil traditions of the past; to trust more to the power of affection, to the feeling that justice was being administered, and that generosity was being extended to Ireland? If the Government had the strength to try this course, they would find that they would not be disappointed. They were now, in including in the Bill such provisions as this—provisions directed against political offences arising out of open and advised speaking—depriving the Constitutional politician in Ireland of every kind of *locus standi.* Between the secret societies on the one side, and the Government on the other, it would be impossible for any Constitutional politician to exist; and he thought that the feeling of the Irish Members, knowing as they did the state of affairs in that country, and desirous as they were of truthfully representing it to the House of Commons in this very grave and important crisis—he thought their feeling should have some regard paid to it; and when a point had been urged so strongly, as they felt it their duty to urge this point, the Government should consider whether they could not give way to the overwhelming sentiment which had been expressed.

Mr. MORGAN LLOYD said, it was very satisfactory to observe the tone in which the hon. Member for the City of Cork (Mr. Parnell) had addressed the Committee. The tone of the hon. Member's speech had been moderate throughout, and what he had said was, no doubt, well worthy of consideration. At the same time, it did seem to him (Mr.

Morgan Lloyd) that the arguments of the hon. Member were divisible into two sections. The first class of arguments were directed against the operation of the Bill altogether—against the doing away with trial by jury and the other main provisions of the Bill; and the other class of arguments were based upon a misunderstanding of the existing law. A great deal had been said by the hon. Member in regard to the danger of trying a person for treason or treason-felony upon statements made in open and advised speeches. But he would tell the hon. Member that by the law now in force no man could be found guilty of treason or treason-felony for words spoken, however extravagant the sentiments uttered might be. No doubt, for two years after the passing of the Treason-Felony Act, treasonable words were a sufficient ground for an indictment for treason or treason-felony; but that ceased at the end of two years after the passing of the Act. And even then, in order to prove a case of high treason or treason-felony against anyone charged, it was necessary, in order to constitute the offence, that the speech should be reduced to writing or printing, and have been published by or with the authority of the person charged. Nothing less than that would do, except some overt act of high treason. A great deal had been said about the uncertainty of the Law of High Treason; and his hon. and learned Friend the Member for Christchurch (Mr. H. Davey) had made some remarks which were calculated to mislead the Committee, owing to the weight that any statement of the law made by his hon. and learned Friend deservedly had. Instead, however, of being, as his hon. and learned Friend stated, Judge-made law, no portion of the law of England or of Ireland was more thoroughly defined by Statute than the Law of Treason. The Law of Treason rested on Statutes, and on nothing else. Before the 36th year of Edward III., treason was Judge-made law; but by 36 *Edward* III. all Judge-made law was entirely done away with, and the provisions of that Statute remained in force down to the present day. That Statute contained a clear definition of treason, and prohibited the Judges from entertaining any charge of treason which was not within the words of the Statute without the authority of Parliament. The offences declared to be high treason by that Statute were the following:—

> "(1.) When a man doth compass the death of our lord the king, of our lady the queen, or of their eldest son and heir.
>
> (2.) If a man do violate the king's companion or eldest daughter if unmarried, or the wife of the king's eldest son and heir.
>
> (3.) If a man do levy war against our lord the king in his realms.
>
> (4.) If a man be adherent to the king's enemies in the realm.
>
> (5.) If a man slays the king's chancellor or king's justices.
>
> No other offence to be declared treason except by Parliament."

These offences were all declared to be treason by that Statute. Acts were passed in the Reigns of Henry VIII., Mary, and Elizabeth, extending the Law of High Treason; but they had since all been repealed. There were also two Acts still in force which were directed against the Pretender; but those were not applicable now. The next was the 57 *Geo.* III., which made it treason to "compass or intend death or bodily harm to the person of the king." The last Statute was the 11 *Geo.* IV. and 1 *Will.* IV., which provided that forging the Great Seal should be a treasonable offence. Those were all the Acts defining treason which now remained in force, and they comprised the whole of the Statute Law as it existed in England and Ireland at this moment, and formed a complete Code of the Law of High Treason. Anything beyond that was without authority. The hon. Member for the City of Cork (Mr. Parnell) had spoken of constructive treason. No doubt, these Statutes, like other Statutes, had been construed by the Judges, whose duty it was to construe them, and apply their provisions to any given state of facts. But no Judge could extend the Statutes, and the law at present was based on the statutory declarations contained in these Acts. He came now to treason-felony. Treason-felony was an offence unknown to the Common Law. It was an offence constituted by the 11 *Vict.* c. 12, s. 3; and he would read the words of the section, as they were very short. Section 3 enacted that—

> "If any person whatsoever, after the passing of this Act, shall within the United Kingdom, or without, compass, imagine, or invent, devise, or intend to deprive or depose our most gracious lady the Queen, her heirs or successors from the style, honour, or royal name of the imperial crown of the United Kingdom, or of any other of her Majesty's dominions and countries, or to levy war against her Majesty, her heirs or successors, within any part of the United Kingdom, in order by force or constraint to compel her or them to change her or their measures or counsels, or in order to put force or constraint upon or in order to intimidate or overawe both or either House of Parliament, or to move or stir any foreigner or stranger with force to invade the United Kingdom or any other her Majesty's dominions or countries under the obeisance of her Majesty, her heirs or successors, and such compassing imaginations, inventions, devices, and intentions, or any of them, shall express, utter, or declare, by publishing any printing or writing, or by any overt act or deed, such person shall be guilty of felony."

But no prosecution for merely publishing treasonable documents could be instituted except within two years after the passing of the Act. His hon. Friend the Member for Northampton (Mr. Labouchere) had said that the holding of a meeting to overawe Parliament in Trafalgar Square would amount to treason-felony; but in that he was entirely mistaken. The first portion of the section governed the whole. The essence of the offence was a compassing, imagining, inventing, or intending to depose the Queen, or a levying war within the Realm. If a man had such intention in his mind, and committed some overt act in order to carry out his intention, he would be guilty of treason-felony; but no overawing of Parliament, or holding seditious meetings, came within the Act, unless it was done in pursuance of such intention. He would therefore ask, why should not treason and treason-felony be cognizable under the new Act? Why were not three Judges, subject to an appeal to six Judges, all six of whom must be unanimous in their decision, be a proper tribunal to try any person who was guilty of either of those offences? The hon. Member for the City of Cork (Mr. Parnell) stated last night that if the Bill passed in its present shape it would not be safe for him or his friends to hold meetings in Ireland; but that they might be arrested if they did so for treason or treason-felony. Now, the fact was that they might go through Ireland from one end to the other and use any expressions they pleased without being liable to be arrested for the crime of treason or treason-felony under the new jurisdiction, unless it could be proved that they had committed some overt act with the intention either of levying war against the Queen or of doing some injury to the reigning Sovereign. Unless that could be proved, the hon. Member might go all over Ireland, as far as this particular clause was concerned, without incurring the risk of being charged with the commission of these offences. Under these circumstances, he thought it could not be shown that they were not offences that ought to be included in the new jurisdiction. But there was another question—namely, that if this Amendment were carried, it would diminish the power of the Judges over the other offences enumerated in the clause. There was not one of the offences enumerated in the 1st clause which might not be an overt act of treason or treason-felony. A murder, for example, might be an overt act of treason or treason-felony; and when a man was charged with murder an attempt might be made on that ground to withdraw the offence from the jurisdiction of three Judges acting without a jury. Every one of the offences specified in the clause and sought to be brought within the jurisdiction of the new Court might be made, in particular cases, an overt act of treason or treason-felony. If the Amendment were agreed to an attempt to try one of these cases might be objected to by the counsel who appeared for the prisoners on the ground of want of jurisdiction. The charge might be for murder, but, nevertheless, not a simple murder, but one involving an overt act of high treason; and what would be the result? The jurisdiction under the new Act would be taken away, and the accused person would have to be tried by the ordinary tribunal. He should certainly vote against the Amendment, and he trusted that the Government would maintain the Bill as it stood, and not allow the measure to be weakened by inserting the Amendment.

Mr. A. J. BALFOUR said, the hon. Member for the City of Cork (Mr. Parnell), and hon. Gentlemen sitting behind him, appeared to entertain great alarm lest the Government, by means of the new powers they claimed under the Bill, should show themselves to be unduly severe against the crimes of treason and treason-felony. He, however, should have thought that the personal experience of the hon. Member for Cork would have convinced him of the opposite result. The hon. Gentleman might recollect that he himself was put in prison on a charge of treason-felony only some seven months ago, and the Committee were aware that the Government pledged themselves that they would not commit any man to prison on any charge which would not in their belief, in ordinary times, have subjected him to conviction by a jury. Therefore, it was plain that, so far as the Government were concerned, they believed the hon. Member, in quiet times, was likely to have been found by a jury guilty of treason-felony seven months ago; and yet the hon. Gentleman now found himself in the agreeable position of dictating to the Government what they were to do with treason-felony in Ireland. The debate last night was remarkable for this peculiarity, that the Amendment was supported by speakers belonging to almost every section of the Liberal Party. He did not know exactly what amount of support that fact indicated; but he would warn hon. Gentlemen who sat behind him—hon. Gentlemen from Ireland — not to count too much on Liberal support in this matter. It was an easy thing to speak in favour of the Common Law of the land, and against a Coercion Bill; and it had the additional merit, in the eyes of many Liberal Members, of conciliating that important part of the constituency known as the Irish vote. He warned hon. Members behind him, however, that if there was the least chance of the Government being defeated, on that or on any other important Amendment, the Liberal Party would come forward, as they always had come forward, to support the Government. They knew very well that the Government were sure of Conservative support; and, therefore, although he did not in the least doubt their sincerity and their affection for liberty and law, it was not uncharitable to say that their own affection for the enforcement of the preliminary conditions of civilization would very likely remain entirely Platonic. It appeared that all the odium was to be cast upon the Conservative Party, who were prepared to see the Government over their difficulty. He believed that the Conservative Party, in the present instance, would do all they conceived to be their duty, although it was by no means a pleasant task to support the Government in a measure of coercion. He, for his own part, in the vote he meant to give in favour of the Government, did not mean in the least degree to express a general confidence in their policy, or any admiration for this particular measure of coercion. He had supported the Government last Session in the coercion policy then brought forward, although he thought at the time, and still believed, that the Government themselves had come to think now that their Bill was an extremely bad one. What was the position of the matter? The Government had the confidence of the majority of that House, and it was possible, although not very probable, that they had also the confidence of the country at large. At all events, they were the Government; there was no chance of their being displaced, and it was the bounden duty of the House to assist them in doing that which every Government must do—namely, preserve law and order. When the Government came down to the House and said, after mature consideration, they were fully convinced that certain clauses were absolutely necessary in order to secure the proper working of this Bill; having made that declaration, they ought to receive the general support of the House; but if they showed any intention of going back from that declaration, not because they might have changed their convictions, but because pressure of some kind had been put upon them, either by hon. Members from Ireland behind him or by some of their more immediate supporters, it would be necessary to take a different action, because the only possible inference the House could draw was that the Government were acting under pressure of some kind or another. But, under existing circumstances, it appeared to him to be the plain duty of the Committee, without at all pledging themselves to any particular admiration for their policy, to help them to do that which was their first duty. Her Majesty's Government told the House, upon their responsibility as Ministers of the Crown, that the present machinery for preserving law and order in Ireland was imperfect, and must be amended. As the Government of the day, they alone had the power of controlling the machinery, and the Conservative Party had no power of taking the control into their own hands. It must be left entirely in the hands of the Government; and, therefore, the first duty of the House was not to prevent them from doing that which they declared to be absolutely necessary in order to enable them to make proper use of the power which must be given to any Government. For these reasons he should support the Government, and should oppose the Amendment. He believed that the House were called upon to assist the Government in remedying any defects in the existing machinery of the law which they considered to be defective.

Mr. Serjeant **SIMON** said, that, although he differed from the Home Secretary in regard to this particular question, he did not think it could be said of him that in his attitude towards the clause under discussion he had displayed any apprehension of the Irish vote in his constituency. In the borough he had the honour to represent (Dewsbury) there was considerable voting power in the hands of Irishmen. He had, nevertheless, supported the Coercion Bill of last Session, and he had voted for the second reading of the present Bill; but, notwithstanding the arguments he had listened to last night from the Home Secretary, he was not convinced of the necessity for this sub-section. As he understood the Bill, it was introduced for the purpose of meeting a state of things which was beyond the reach of the ordinary law. It was a Bill for the purpose of bringing punishment home to those who were charged with the offences of treason and treason-felony, and other offences. Now, what were the offences which the ordinary law, and the ordinary mode of trial, had failed to reach? As he understood, from the statement made by the Home Secretary, on the introduction of the Bill, it was that class of outrage commonly known as "agrarian," ranging from murder down to assault on the person, and including attacks on property and injury to cattle belonging to tenant farmers. He had not yet heard that, in any case of treason or treason-felony, the ordinary mode of trial had failed. He had not heard it said that the crime of treason or treason-felony had been committed during the last two years in Ireland at all. His right hon. and learned Friend the Home Secretary, last night, in reply to his hon. and learned Friend (Mr. H. Davey), who introduced the Amendment, said that there was a precedent for the introduction of the offences of treason and treason-felony into the Bill. The right hon. and learned Gentleman referred to the suspension of the Habeas Corpus Act and the Coercion Act of last Session; but he (Mr. Serjeant Simon) thought there was no analogy between the Coercion Act of last Session and the Bill now before the Committee. The Coercion Act of last Session was a preventive measure. The then Secretary to the Lord Lieutenant, the right hon. Member for Bradford (Mr. W. E. Forster), had over and over again stated, in that House and elsewhere, that the object of that Act was not to punish, but to prevent the commission of crime. The object of the present Bill was not to prevent the commission of crime, but to search it out and follow it up by punishment. Instead of being a preventive measure, the present Bill was a punitive one. Therefore, the analogy did not hold good, seeing that the Bill before the Committee was intended to punish certain offences, in regard to which it was asserted that the ordinary modes of trial were abortive. If it could be shown that treason and treason-felony existed in Ireland, and that it was not possible to bring the offenders to justice, because the law failed to reach them, then, he would say, include those offences in the Bill; but, in the absence of such evidence, he could not see why such offences should be included in the Bill. Such offences had occurred in Ireland; but the ordinary law had hitherto been sufficient to deal with them. His right hon. and learned Friend the Home Secretary said the present state of Ireland was manifested by the abominable outrage which took place in Phœnix Park; and he further asserted that that outrage proved the existence of a disloyal and treasonable spirit throughout the country. Now, he (Mr. Serjeant Simon) contended that the murders in Phœnix Park were murders simply. They were not treasonable murders; they were neither treason nor treason-felony; and there was not a clause in the present Bill which would reach them. It was said that the distinction which had been drawn by some of his hon. Friends on that side of the House between criminal offences and ordinary political offences was a sentimental one. If it was, he was bound to admit that he fully shared in that sentimental objection. There was no doubt that the crime of treason was of the very gravest character. Political offences, however, did not spring from the sordid motives which gave birth to ordinary crimes; and the two ought not to be classed together. In the case of political offences, acts were done in furtherance of what the unfortunate people who committed them believed to be the good of the general public; and that was a very different motive from avarice or gain, or personal vindictiveness, which inspired other offences. At all events, offenders were entitled to a fair and impartial trial. He did not join in the animadversions which had fallen from some Members on the other side of the House respecting the Irish Bench. He had the pleasure of knowing several of the Irish Judges; and he believed that, in learning, integrity, ability, and high-mindedness, they did not fall short of our own Judges; and he had no doubt about their doing justice in every case that was properly brought within their jurisdiction. But he had a decided objection to intrust to any Judge the trial of a political offence; because, however high-minded he might be, however honourable, and however anxious to do what was right, there must be, more or less, a bias in the mind of a man who had to try an offence against which all his sympathies were directed. He had had some personal experience in a matter of this kind. He was one of the counsel in the last political State Trial in this country. He He referred to the case of Dr. Bernard, who was tried for complicity in the Orsini conspiracy. Political feeling ran high at the time, and the counsel engaged in the case not only scanned most anxiously the panel of the jurors, but the political views of the Judges appointed to try the case. He recollected how very anxiously they looked at the political leanings of the Judges selected to try Dr. Bernard. But, notwithstanding the fact that the trial took place in England, and that every confidence existed in the impartiality of English Judges, there was a good deal of fear lest the smallest amount of political bias should be brought to bear upon the case. How much stronger, then, would this be in Ireland, where the Judges would have, under this Bill, to determine issues of fact? There was another consideration that ought to weigh in a matter of this kind, and it had been referred to last night by an hon. Friend near him. It was this—that without a jury there was no check upon a Judge.

It might not be possible to know what part of the judicial decision was law-made, or what was Judge-made, because they might have no opportunity of hearing the reasons or the authority. There would not, or there need not, be any statement of the law, as in the case of charging a jury upon a legal point. They would have, under the new tribunal, no opportunity of knowing the views taken by the Judges, and no means of correcting them if they were wrong. In the State Trial to which he had just referred a great number of questions of law were raised; and if the Judges had ruled wrongly, they had another Court to go to with an appeal against the ruling. They were now proposing to refer political trials to a tribunal of Judges only. They all knew that political questions were of a most elastic nature, and by submitting a case to the idiosyncrasies of Judges there would be great risk of colouring legal decisions with moral prepossessions. A Judge would lay down the law for himself, and the reasons for his decision, and even the decision itself might never be known, and could not be reviewed. Everything was in the hands of the Judge; he summed up the case for himself; he heard the evidence; he laid down the law for himself; the views he took were within his own mind and within his own breast, and no one was able to know whether he had been in conflict with the law or not. Upon these grounds he (Mr. Serjeant Simon) ventured to think that the Committee ought not to intrust too much power to Judges in the trial of political cases. Treason and treason-felony were political offences. It might be said, in the state of things which existed in Ireland, that where there was strong political feeling one way or the other—that where, as stated last night by the right hon. and learned Member for the University of Dublin (Mr. Gibson), there was so great an amount of disloyalty, they could not trust to a jury, because they might have a man on the jury who was, for instance, a Fenian. No doubt that might be said; but it could be equally said at all times when treasonable offences were tried. Charges of treason and treason-felony were never made except at times of great political excitement. Treason and treason-felony were the offspring of political excitement; but it did not follow that juries were not to be trusted to deal with such offences. He remembered the trial referred to by the hon. Member for the City of Cork (Mr. Parnell). He remembered the State Trials which occurred nearly 35 years ago in Dublin; but he also recollected that, although political feeling ran high in Ireland at the time, with one or two exceptions, the men who were put upon their trial—and among them were some of the most popular men in the country—were convicted. Therefore, he thought there was nothing in the argument based on the fact that political bias and excitement would prevent jurors from doing their duty. For his own part, he valued trial by jury so highly that he would rather see a man improperly acquitted than he would trust the liberty of the subject to the Judges without the assistance of a jury. It must be borne in mind that the Judges were servants of the Crown, that they held their appointments direct from the Crown, and that they would be at once prosecutors and Judges. No doubt, they would go into Court with well-balanced minds, and with highly-trained intelligence; but he failed to see anything in this particular case which would justify the Legislature in abolishing trial by jury for such offences as treason and treason-felony. The Home Secretary said it was not home Irishmen that he was afraid of, but American-Irishmen, emissaries from abroad who came over here for the purpose of exciting animosity between England and Ireland. It was against these that the clause was said to be directed. But this Act provided the means of dealing with these persons in another and more effectual manner, inasmuch as it contained clauses for the re-enaction of the Alien Act. The Bill would, therefore, when it passed into law, contain power for their expulsion from the country; and this he regarded as a much better remedy than that of bringing them to trial for treason or treason-felony. The interests of the country demanded that these evil-doers should be rooted out, and that they should be got rid of by sending them out of the Kingdom. He repeated that this would be a more effective mode of dealing with them than bringing them before the tribunal which the Bill proposed. He need not point out to hon. Members that one of the most peculiar characteristics of a Court of Justice was the confidence which the public had in the impartiality of the Judges; but that confidence, he believed, would not exist when it was found that political prisoners were brought before a tribunal composed of persons who were servants of the Crown. He would support the Bill in all those parts of it which provided remedies which did not now exist, and dealt with crimes which the ordinary law did not reach. He said this after hearing the arguments of the right hon. and learned Gentleman the Home Secretary, in answer to his hon. and learned Friend the Member for Christchurch (Mr. H. Davey). Those arguments had failed to convince him that the sub-section in question was necessary; and he regarded it as most inexpedient that it should form part of the measure.

Mr. BULWER said, he had listened with great attention to the remarks of the hon. and learned Gentleman who had just sat down, which remarks, however, had failed to convince him that there was any reason for omitting the sub-section relating to treason and treason-felony. The hon. and learned Gentleman admitted the high character of the Irish Judges; and yet, in cases of treason and treason-felony, he thought it better to have a trial by a jury composed of 12 men such as might be expected to be got together in Ireland. Had the question before the Committee related to the relative capacities of the two tribunals, he should have thought his hon. and learned Friend would have conceded that a tribunal of three Judges would be infinitely superior to one composed of 12, probably ignorant, men, especially if the crime before them was treason-felony, which they were so often told involved very intricate considerations. It would seem that his hon. and learned Friend wished the Committee to draw the inference that the Judges of the Special Commission Court would sit mute while the evidence in the case before them was being given, and that, when it was concluded, they would simply say—"We find the prisoner 'Guilty' or 'Not Guilty,'" as the case might be. But did his hon. and learned Friend suppose that this tribunal, composed of three Judges, would not state in Court the facts on which their judgments were founded, in order to give satisfaction to the public, and also to liberate their own consciences? The Judges would, of course, state their reasons, as was the practice in every Court in this country and in Ireland. According to the inference suggested by the hon. and learned Member for Dewsbury (Mr. Serjeant Simon), one might as well expect that a Judge of Appeal, or one who sat alone at any trial, would deliver judgment for the plaintiff or the defendant without giving the reasons on which his judgment was based. Why, it was certain that a Judge would not hold his seat very long under such circumstances; but this had never been the practice, and he ventured to say that it never would be. He confessed that incalculable mischief had been done by Lord O'Hagan's Act, which lowered the class of men from whom Irish juries were drawn; and he had heard the effect of that Act criticized in Ireland by laymen and gentlemen of the Legal Profession also in their arguments before the Judges. Moreover, not long ago, he asked one of the Judges how the Act was working, and the answer was "fairly well." By way of illustration, he said that at the last Assizes a man had been brought before him for a violent and brutal assault; the offence having been proved up to the hilt, he summed up to the jury for a conviction; but the jury acquitted. In the course of the same Assizes, the same man appeared before him as the complainant in another case of brutal assault. Again, the summing up was for a conviction; but an acquittal followed. Next day the Judge asked the Clerk of Arraigns if a man sitting in front of the jury box was not the man who had been defendant in one case of assault and complainant in another, to which the Clerk of Arraigns replied, "Bedad, my Lord, and he is." "So," said the Judge, "Lord O'Hagan's Act works fairly well in this respect—that a man at the Assizes is tried by his peers." He hoped the Government would stand firm in their refusal to accept the Amendment of the hon. and learned Member for Christchurch (Mr. H. Davey), and he was prepared to give them his loyal support in passing a measure which, in their judgment, it was absolutely necessary to introduce owing to the present condition of Ireland. But he ventured to think that if Her Majesty's Government were prepared to listen to appeals, the object of which was to whittle down the Act, such a policy was not well calculated to give satisfaction to those on that side of the House, who were prepared to support them loyally. In opposing the Amendment he was not actuated by any of those brutal or bloodthirsty feelings which hon. Members from Ireland were accustomed to attribute to everyone who advocated the repression of crime in that country. Now, his hon. and learned Friend gave it as one reason for striking out from the Bill the sub-section relating to treason and treason-felony, that there had been no case of trial for treason within the last two years. [An hon. MEMBER: Ten years.] An hon. Gentleman said 10 years, and, no doubt, that was correct. There had, then, been no trial for treason or treason-felony during the last 10 years; but he would like to know how many gentlemen had been in prison for treason during the last two years? Why were those men imprisoned, whom the right hon. and learned Attorney General for Ireland referred to in that speech of his as being "steeped to their lips in treason?" Was it not that because there could be no doubt that if they had been brought before such a jury as he had described there would have been no chance of their being convicted? He was not one of the persons referred to, and was, therefore, unable to judge, except from the public utterances which responsible Ministers in that House addressed to the country, what were the actual reasons for keeping them in prison. His hon. and learned Friend opposite said, with great authoritativeness, that the murders in the Phœnix Park were not connected with treason. But how was it possible for him to know that? The inference which he (Mr. Bulwer) drew was that it was an overt act of treason; and, therefore, he regarded the suggestion as unfounded, or resting, certainly, on no good authority. He protested against the doctrine that the services of the Judges of Ireland were to be brought into requisition for the purpose of trying the minor offences specified, and that the more serious charge of treason should be left to trial by jury. For these reasons he should support Her Majesty's Government, if the Committee went to a division on the Amendment of the hon. and learned Member for Christchurch, in their resolution to maintain the clause as it stood.

MR. O'SHAUGHNESSY said, as he believed no Member from Ireland sitting on that side of the House had taken part in this discussion, he ventured to offer a few observations upon the subject of the Amendment of the hon. and learned Member for Christchurch (Mr. H. Davey). It seemed to him that some legislation of the kind proposed was absolutely necessary in the present state of Ireland, the Coercion Act of last year having undoubtedly failed. At the same time, he was bound to express his opinion that if there was any Amendment to this Bill on the Paper which deserved the attention of, and ought to enlist Irish Members in its support, it was the Amendment now before the Committee. One of the reasons which induced hon. Members to extend their support to the present measure was the undoubted necessity which existed for strengthening the arm of the law in Ireland. What was the principle on which coercive legislation ought to be framed? It appeared to him that it ought to proceed with a strict regard to the necessities of the time being; and no coercive legislation ought, in his opinion, to be applied by Government, except in those places where it was shown that crime demanding coercive measures existed. Moreover, he thought Her Majesty's Government would do well to keep over all the crimes named for the time being until the actual necessity arose for their being dealt with otherwise than under the ordinary law. It seemed to him that the entire body of crime which the House was asked to deal with under this Bill was crime of agrarian origin—that was to say, crime having for its object the carrying out of certain views with regard to land in Ireland, and also the avenging of certain wrongs, fancied or real, in connection with it. It was perfectly true that the murders committed in the Phœnix Park, Dublin, were not agrarian crimes; nor were they by any reasoning to be connected with the agrarian objects for which the late agitation had been carried on. That crime was probably committed for the purpose of preventing the carrying out of the policy of conciliation which had been laid down by Her Majesty's Government. But then the Phœnix Park murders were not acts of treason, although probably they were murders proceeding from treasonable motives. They were overt acts of a kind which had never been dealt with as treason; which could be dealt with, as he trusted they would be when the perpetrators of them were brought to justice, as murders. Consequently, there was nothing in these murders to justify the contention that treason or treason-felony should be retained in the Bill. He did not for one moment say that a tendency to treason did not exist in Ireland; on the contrary, they knew there were many disloyal men in Ireland, and that it was nothing but treason which induced such as these to commit the Phœnix Park murders. Those murders were not to avenge any fancied or real wrong on the part of a landlord or a policeman. No such object existed in that case; the murders were decided upon with a treasonable object, and one utterly at variance with the ends of the men who were promoting the interests of the Irish tenantry. But he repeated that, as the crime took the form of murder, it could be dealt with as such under the ordinary law. As he had before pointed out, the Government should, in his opinion, confine this repressive and coercive legislation to the proved necessities of the case—to the crimes actually committed in Ireland, which could be equally well dealt with and put down if the sub-section relating to treason and treason-felony were omitted. In supporting the Amendment he did not rely on the fact that the ordinary tribunals of the land had not broken down as against treason or treason-felony; he relied on the fact that treason and treason-felony were distinct offences from the crimes of an agrarian character specified in the Bill. He admitted it was probable that if a treasonable movement should arise in Ireland, juries would break down and verdicts of "Guilty" would not be returned. But his point was that there was no treasonable movement going on in Ireland at the present time, except so far as it had shown itself by acts such as those committed in the Phœnix Park, and which were capable of being dealt with under the ordinary law. He did not agree with those who sought to extenuate the crime of treason; and although he knew it was different from other offences, he should not say that it differed from them in the sense that it did not create as strong an impression when it arose. He thought it did, but he contended that treason in the ordinary sense of conspiracy against the Throne, and conspiracy to rebel, did not at that moment exist in Ireland. If that were so, he thought they should avoid the danger of handing over this jurisdiction to the Judges. He did not wish to pass again over the ground which had already been covered in the course of this discussion; but he would say only this—that Judges, as the result of their judicial training, had certain tendencies with regard to treason, even when there was a jury standing between them and the accused. What, then, would be the effect of taking away that institution which had hitherto stood in the case of trials for treason between the prisoner and the Crown? On the whole, it seemed to him that the fair and wise policy for the Government to pursue, that most calculated to carry out their intentions, and, at the same time, to convince the Irish people that there was no desire unduly to curtail their liberties, was to confine the operation of this Act to crimes which undoubtedly existed in Ireland, and which all must admit that the law as it stood at present was insufficient to meet. For the reasons given he should vote for the Amendment of the hon. and learned Member for Christchurch.

Sir EARDLEY WILMOT said, he felt himself under the necessity of supporting the Bill as it stood, although he wished to express the opinion that under a different administration of Irish affairs the necessity for the sub-section relating to treason and treason-felony would not have arisen. The condition of Ireland at the present moment was unfortunately such, that a Bill which proposed to do away with the Constitutional Law of the country could not, he thought, be avoided. But he would ask the occupants of the Treasury Bench, and Gentlemen sitting on the other side of the House, whether they were aware that in this Bill, and in the particular sub-section of it now under consideration, they were abrogating a clause of Magna Charta? Hon. Members would know that it was there laid down that no person should lose his life, his liberty, or his property, except by the judgment of his peers; and he said that the Liberal Party now, for the first time in the history of their country, were bound to come forward and abrogate that glorious Statute which *Blackstone* described as the national bulwark of the liberties of Englishmen. Then, again, the memorable Statute of Treason had been adverted to, and some of its sections enumerated, by his hon. and learned Friend the Member for Beaumaris (Mr. Morgan Lloyd). But the hon. and learned Gentleman had not enumerated every section of that statute; but, above all, he had omitted what, after all, was its pith and marrow—namely, that portion of the Act which said that persons attainted of treason must be convicted of an overt act by people of their own condition. The right hon. Gentleman at the head of the Government had brought them to a pass in which it was necessary, without delay, to do away with a large portion of the Constitutional Law of the country. A great necessity had arisen, and they must face it by passing this measure for the protection of life and property in Ireland. With regard to the distinction drawn yesterday by the hon. and learned Member for Christchurch (Mr. H. Davey) between political and ordinary offences, he appealed to the right hon. Gentleman the Prime Minister, and to other right hon. Gentlemen on the Government Benches, as to whether it was not true that treason and treason-felony were much graver offences than any murder or attack upon an individual could be? Treason and treason-felony attacked the very foundation of civil society, as well as the peace, happiness, and comfort of the whole community, whereas other offences were only aimed against individuals. The Government were, therefore, doubly and trebly called upon to provide safeguards for our peace as a nation; and it was impossible, at the present time, to avoid placing treason and treason-felony in the list of those offences which were to be tried by the Special Commission Court. He implored Her Majesty's Government not to be influenced by the arguments of those who were, perhaps, ordinarily their supporters, in attempting to strike out this sub-section, but to consider alone the happiness and well-being of the community in general. As regarded the Judges, he agreed generally with what had fallen respecting them from the hon. and learned Member for Cambridgeshire (Mr. Bulwer); but he confessed to an almost enthusiastic reverence for juries, and as long as these existed in this country he believed there was no fear that our liberties would be assailed. The case with regard to Ireland was exceptional, and juries in that country were not found to do always what was right and just. Cases had occurred of crimes passing unpunished by reason of juries not doing their duty; and although he looked forward to the time when they would again have their proper influence, he was bound, on the present occasion, to give his firm and cordial support to the clause before the Committee.

Mr. BRAND said, that the hon. and learned Member for Limerick (Mr. O'Shaughnessy), whenever he addressed the House, was received with attention, because of his reasonableness and moderation. On the present occasion the hon. and learned Member had justified his opposition to the particular part of the clause under discussion on the ground that the Government ought to restrict their proposals to the necessities of the case, and to the crimes which at present existed in Ireland. Moreover, he added distinctly that there were no treasonable crimes in Ireland. Now, he (Mr. Brand) joined issue with the hon. and learned Member for Limerick on that point. The hon. and learned Member said that the crimes in Ireland were agrarian; but it was well known that these agrarian crimes were mixed up with political objects. Had they been so deaf or blind for many months past that they could forget the speeches of the Leaders of the Land League? There was, in particular, in his recollection, a speech of the hon. Member for the City of Cork (Mr. Parnell), who said he would never have taken his coat off merely for the purpose of carrying out land reform in Ireland. From the speeches which he had read of that hon. Member, delivered not only in this country, but in America, he had come to the conclusion that his ultimate object was, and had always been, the severance of the connection between England and Ireland; and, therefore, he said that his action as Leader of the Land League had mixed up with its agrarian objects treasonable designs.

Mr. O'DONNELL asked if it were in Order for one hon. Member to say of another that he was pursuing treasonable designs—that he was mixed up with treasonable designs? He might observe that this point of Order had been raised in the House in connection with a statement made by the right hon. Member for Ripon (Mr. Goschen) to the same effect, which the right hon. Member was obliged to withdraw.

THE CHAIRMAN said, as he understood the hon. Member for Stroud, he referred to certain speeches made outside the House, and stated that the conclusion in his mind drawn from those speeches was that the hon. Member for the City of Cork desired a severance of Ireland from this country, and that that, in his opinion, was a treasonable object. The hon. Member was within his right in drawing his conclusion.

MR. O'DONNELL said, he could assure the Chairman that was not the statement of the hon. Member for Stroud. He was speaking to the point of Order. The speech of the hon. Member was a specimen of the manner in which treason would be imputed under the Bill. The hon. Member for Stroud stated that, in his opinion, the hon. Member for the City of Cork was mixed up in treasonable designs. He believed those were the exact words.

THE CHAIRMAN said, he must point out to the hon. Member for Dungarvan that if there was any mistake on his part he should at once have moved that the words be taken down. The impression upon his mind was as he had stated.

MR. BRAND said, the Chairman had correctly interpreted his meaning. The next point of the hon. and learned Member for Limerick (Mr. O'Shaughnessy) was that the murder in the Phœnix Park was an overt act, which could be dealt with by the ordinary law. It was, no doubt, an act instigated by members of a secret society in Ireland; and his contention was that it was extremely probable that the members of the Executive in Ireland had a knowledge of the leaders of certain secret societies, and that if there was any chance of conviction they would be able to bring them to trial for treasonable practices. The question he put to himself was as to whether there was treason at the present moment in Ireland. If there was treason in Ireland, would any reasonable man say that in the present circumstances of the country there was a fair chance of obtaining conviction by jury? He answered the question in the negative, and upon that ground he was prepared to support Her Majesty's Government in their refusal to strike out the sub-section relating to treason and treason-felony. He trusted they would remain firm in this matter. The position was a very difficult and painful one, both for Her Majesty's Government and their supporters; and, moreover, they were exposed to a cross-fire from hon. Members opposite, as well as from some of their own supporters. That fire was, in his opinion, rather badly directed, for there were many of their supporters who now endeavoured to make them yield on this point whose idea of liberty was unbounded freedom and unbounded licence. He would qualify that remark by saying that those hon. Members were willing to allow men to proceed to plot against the State, so long as they did not commit murders, and the other crimes mentioned in the clause, and until they had perfected their machinery. That, he contended, was not a safe thing to do; on the contrary, action should be taken now, in order to prevent these crimes. It was said there had been no break-down of trial by jury in the case of treason or treason-felony. But it was perfectly easy to see why there had been no break-down with regard to treasonable practices. The reason was not far to seek, and it was that within the last two years the Government had not been willing to bring persons to trial, because they knew they would not get a conviction. Her Majesty's Government had also been opposed on this question by the noble Lord the Member for Calne (Lord Edmond Fitzmaurice), who had manifested the most laudable love of independence. He admitted that his noble Friend was a powerful opponent of the Government; but he trusted that, on the present occasion, he spoke only for himself and the hon. Member for Great Grimsby (Mr. Heneage), when, like the hon. Member for the City of Cork (Mr. Parnell), he interpreted the speech of his follower. In conclusion, he would again express the hope that Her Majesty's Government would remain firm. They had, in the struggle now going on in Irelaad, to deal with men who were ready to commit any act in order to obtain their end; and he, for one, would not refuse Her Majesty's Government the weapons necessary for their purpose.

MR. JUSTIN M'CARTHY said, he was glad that the hon. Member who had just sat down had so fully expressed his opinions upon the question before the Committee, because the speech of the hon. Member afforded an admirable illustration of the spirit in which this Bill, when it passed into law, might be worked in Ireland. They had just listened to the doctrine of constructive treason in all its perfection. His hon. Friend the Member for the City of Cork (Mr. Parnell), in some of his speeches, had advocated the legislative independence of Ireland, and from that the hon. Member for Stroud deduced treason.

MR. BRAND begged to say that he had expressed the opinion, after reading the speeches of the hon. Member for the City of Cork, that his object was the severance of the connection between the two countries.

MR. JUSTIN M'CARTHY: Exactly. The hon. Member for Stroud construed those speeches to mean that the hon. Member for the City of Cork was in favour of overthrowing the British Government in Ireland. Upon certain words spoken by his hon. Friend the hon. Member for Stroud constructed a charge of treason. His hon. Friend, like himself, was a member of an Association having for its object domestic rule in Ireland; and it would be perfectly easy, by applying the doctrine of constructive treason, to bring the hon. Member for Cork City, and any Member of that House who acted with him, before the Special Commission Court, and charge them with treason, because they were members of the Association he had referred to. Why, it was only yesterday that the Mayor of Liverpool gave it as his opinion, in a letter written to *The Times*, that the mere fact of being a member of the Home Rule Association made a man a traitor, and liable to a charge of treason. Let the Committee remember that some of the Irish Judges had already expressed their opinions upon the Land League, in language not unlike that of the hon. Member opposite. Mr. Justice Fitzgerald had declared that the Land League was an unlawful Association, and that at a time when Her Majesty's Government held it to be neither treasonable nor illegal. Now, supposing his hon. Friend were brought before three Judges, who had already given their opinions in this sense, what chance would there be of his getting a fair trial before such a tribunal, and what chance would there be of the Irish people attaching the least confidence or weight to their verdict? He was fully convinced that when this Bill once passed into law it would be in the power of partizan Judges to make the most justifiable expressions coming from members of political associations an excuse for bringing such men before the tribunal, and holding them guilty of treasonable practices.

SIR WILLIAM HARCOURT said, he should not have risen again to address the Committee except for two reasons. In the first place, he would ask hon. Members whether they did not think that this subject had been adequately discussed? The Government last night had yielded, he would not say reluctantly, to the adjournment of the discussion on the Amendment of the hon. and learned Member for Christchurch, upon the appeal of the hon. Member for the City of Cork, who desired to have further time to make a statement to the Committee. The hon. Member for the City of Cork had made his statement, and, therefore, the object for which the adjournment was granted had been fulfilled. The second reason for his rising was to dispel the apprehensions of the hon. Member who had just spoken. Certainly, he could not at all agree that the things he had suggested would or ought to come within the category of treason. But he must ask hon. Members on this point, and upon all points in this Bill, having regard to the circumstances in which it was brought forward, to apply this test. No doubt, it was possible to put extreme cases which might possibly arise, and in connection with them to arouse a strong feeling of prejudice against the Bill. That, he thought, was not a fair test of what was likely to happen. But there was another test, and a far more important one, which should be applied to the Bill, and that was to ascertain what were the crimes which would go unpunished unless the provisions of the clause were retained. By all means, let hon. Members look at the possibilities of the case if they thought fit; but let them also look at the certainties of impunity which would exist if they did not adopt the measures proposed. The one mode of criticism was safe, the other was entirely misleading and one-sided. He asked the Committee to consider what were the things which would go unpunished without this provision, and he used the word unpunished because, after all, he did not pretend to give statistics on the subject. There were many things which we believed and acted upon in life without statistics—things which were known to the common sense of mankind. Now, he was speaking to the common sense of the House of Commons, and those who agreed with him would support the provisions of the Bill, while those who did not would vote in the opposite direction. He made two propositions. One was that there existed in Ireland secret societies whose main objects were treasonable; and his second proposition was that for such offences as those there was, at the present time, no probability of conviction by jury. He must leave the Committee to judge whether or not these propositions were true. If they were, he would endeavour to point out what was the character of the offences which would go unpunished, supposing the sub-section in question were not in the Bill. "Meeting or consulting together for the purpose of killing or deposing the Queen." Would any man of common sense say it was impossible that there should be meetings in and out of Ireland with that object? But, if there were such meetings, he said they were without the means of punishing those who took part in them. The hon. Member for Longford (Mr. Justin M'Carthy) did not agree with that statement, and would, he knew, vote against the Government on this question; but to those who thought there was a possibility of these meetings and consultations of secret societies with regard to the Queen, either here or elsewhere, he repeated that they could only be punished as treason on conviction by a jury. But he would take another case—that of "comforting the Queen's enemies and inciting foreigners to invade the Realm." Would anyone say that such a thing as that was impossible? Why, there was not a day on which he did not read columns of incitement to that very thing, and longing for the time when England would be engaged in a war, in order that the Queen's enemies might be comforted, and foreigners induced to invade the Realm. That was treason. Was it inconceivable that such things should exist, and was it desirable that there should be no certainty of punishing them? But it was said that people might be entrapped under this clause for having used words not intended to be treasonable. With the utmost confidence he said this was not so. No upright Judge would hold such a thing to be treason. Writings, no doubt, which compassed the Queen's death, comforted her enemies, or recommended the invasion of the Realm, were treasonable; but it was quite clear that loose words with no reference to any act were not treason. That was the law in England relating to treason, and he ventured to tell the hon. Member for Longford that the law of Ireland was the same. *Blackstone* laid it down as clear, according to the Common Law and the Statute of Edward III., that words spoken, however atrocious, could not amount to more than a high misdemeanour, for they might be spoken in heat without any intention, or by mistake perverted or misremembered by their hearers; their meaning also always depended on their connection with other words and things, and might signify differently even according to the tone of voice in which they were uttered. These were the reasons why words were not treason; and, therefore, continued *Blackstone*—

> "There can be nothing more equivocal and ambiguous than words, and it would, indeed, be unreasonable to make them amount to treason."

Now, he ventured to say that this was the Law of Treason which the Judges of Ireland, as also the Judges of England, would be bound to administer and would administer; and, therefore, he entreated hon. Members not to vote on this Amendment under any notion like that which had been suggested by the hon. Member for Longford, that words would be treated as treason. The hon. Member for the City of Cork (Mr. Parnell) referred to a passage from a work of Mr. Justice Stephen to show that riot would constitute treason. But that would not be so. Some act of attack on the State was necessary to constitute treason. In the well-known case called Forth's case, it was laid down that if an armed body of men entered a town, not to attack it, but to make a demonstration of strength to the magistracy, in order to procure the liberation or the mitigation of punishment of prisoners convicted for political offences; this, though an aggravated misdemeanour, was not high treason. He wished, as he had before pointed out, to remove some of the effect of some of the erroneous surmises which had been imported into this discussion. The Law of Treason was a law applicable only to those offences which overthrew, or attempted to overthrow, the securities of the State, in which the interests of all the subjects of the Queen were deeply involved. The other offences which had been suggested did not come under the category of treason; they were offences punishable otherwise. In coming to a decision on this Amendment, he asked the Committee not to be led astray by the suggestion that this sub-section would in any manner interfere with the free expression of political opinion. It was meant to apply only to acts intended to overthrow the Government of the country and destroy the basis of law and order on which it rested; and, for his own part, he could not see that any good whatever could be done in the present state of Ireland if precautions were not taken in this Bill against offences of that character, because he believed that in conspiracies of the kind indicted lay the root of the violently disorganized condition of society in that country.

MR. O'CONNOR POWER said, he did not know how the Committee would be disposed to receive the invitation of the right hon. and learned Gentleman the Home Secretary to bring this discussion to a close. He could imagine, however, that hon. Members who had risen, and risen repeatedly, as the hon. Member for Manchester (Mr. Jacob Bright) had done, without catching the Chairman's eye, would be indisposed to assent to the proposal to terminate the discussion, especially after the unbending manner in which the right hon. and learned Gentleman had met the protests on the subject before the Committee, which had reached the Government Benches from every quarter of the House. The right hon. and learned Gentleman commenced his speech with an assumption which ran through the whole case of the Government, in asking the Committee to assent to this sub-section. And then he read out a list of the offences which would go unpunished if this sub-section were not retained in the clause. He (Mr. O'Connor Power) repeated the question he had already put to Her Majesty's Government. What evidence had they to show that persons indicted for treason or treason-felony in Ireland would not be convicted on sufficient evidence? A satisfactory answer to that question, he ventured to say, would terminate the present discussion at once; but until that was forthcoming, he said the Government stood without an atom of justification, save what existed in their own apprehensions with regard to the state of Ireland; and the right hon. and learned Gentleman could not deny this in the face of his admission that he had no statistics to lay before the House. The right hon. and learned Gentleman, in making that admission, said that men were accustomed, in the ordinary affairs of life, to put their belief in things in the absence of positive evidence; but he ventured to point out that the House of Commons was not accustomed to sacrifice great political principles on such a plea as that. And the argument of the right hon. and learned Gentleman showed the extremity to which he was driven, when he was obliged to come to that House and say on behalf of the Government—"We believe that such a thing is necessary, and therefore we ask you to accept this sub-section of the Bill." He said that the speech of the right hon. and learned Gentleman rested on very imperfect information, so far as he could make out; and he thought the Government ought to have taken the Committee more into their confidence, and shown some grounds for including treason and treason-felony in the clause. He was afraid that the inefficient police system of the Government did not lend itself to the detection of crime in Ireland. But they were now discussing the best means of bringing speedy punishment on criminals whom they could detect. The evidence of the weakness of the Government position in this matter was added to by the quotation of the right hon. and learned Gentleman from *Blackstone*, that certain words, spoken under suspicious and violent circumstances, would not constitute the crime of treason. The right hon. and learned Gentleman could not apply those words to the crime of treason-felony; though he (Mr. O'Connor Power) admitted he could quote *Blackstone* to show that the crime of treason was one which could not be readily brought home to persons indicted for words only. He (Mr. O'Connor Power) was not in the habit of offering subtle definitions of law, for he was but a student in that department, and listened with respect to the right hon. and learned Gentleman when he made any statement with regard to the law. But when he found eminent lawyers on the other side of the House contradicting each other on this very question, he hoped he might be excused, although a humble member of the Bar, for doubting the dictum laid down by the right hon. and learned Gentleman the Home Secretary. Let the Committee have before them the words of the Act of 1848, and he believed they would come to the conclusion that the legal mind of Blackstone would have been horrified if anyone had proposed to invent the crime of treason-felony in his time. That Act, which he regretted to say was introduced by a Whig statesman, defined the offence in such a manner as to make it difficult for anyone to say what did not constitute treason-felony. Hon. Members who had spoken against this sub-section had based their opposition on the very strong ground that no necessity had arisen for superseding the ordinary law; and he reminded the Committee of the statement of the noble Lord the Member for Calne (Lord Edmond Fitzmaurice) that he would not budge one inch beyond the necessities of the case, and he (Mr. O'Connor Power) asked if it were the part of a Liberal Ministry to go beyond the necessities proved to exist? The noble Lord added, however, that if after 12 months' trial of the other powers included in this Bill, the Government were able to say that in such and such instances persons had been accused of treason or treason-felony, and juries had persistently returned verdicts against the weight of evidence, he should be willing to agree to an extension of the Act. They had no ground to go upon. He and his hon. Friends had again and again challenged the Government—and he hoped the challenge would ring in the ears of the Government until the very last stage of the Bill had been reached—they had challenged the Government to show that the ordinary law had failed before they called upon Parliament to supersede that law by the extraordinary power which no Government had, at any former period of English history, come down to the House and asked to have intrusted to them. He was astonished that hon. Gentlemen representing Liberal constituencies did not spring to their feet to resent the bare suggestion that they could be guilty of such a betrayal of Liberal principles as to vote for a proposal of this kind.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he had listened carefully to the discussion on this sub-section of the clause; and, as far as he could gather, there had been three objections urged against the sub-section. The first was that the powers now asked for were exceptional; the second was that the offences of treason or treason-felony should not be tried by the special tribunal proposed by the Bill; and the third objection was that there had been no proof that there had been any failure of justice under the ordinary law in cases of treason or treason-felony. With regard to the first objection, he fully admitted that the powers asked for by the Government were exceptional; but it must be remembered that they were called upon to deal with exceptional circumstances. What was the object of the Bill at all, if it were not to deal with an exceptional state of things, that could not be properly dealt with by that which was not exceptional? The objection was, of course, a strong one to raise to the second reading of the Bill. If hon. Members maintained that there was no reason why an exceptional tribunal should be established, that objection could be urged to any legislation on the subject. When once they admitted there was an exceptional state of things, with which the ordinary tribunals of the country could not deal, and with which they could not combat, their objection ceased to be valid, for the necessity of the Bill was to be found in what was exceptional. As to the second objection, he felt, from what had been said by many hon. Members, that considerable misapprehension prevailed on the subject. He understood the second objection to be founded on the apprehension that the powers of the new tribunal might be applied to that which was merely political action. Of course, that apprehension was founded on the belief that a mere expression of words, unaccompanied by acts of violence—that was to say mere political agitation—would be construed to amount to high treason. If that view were rightly founded, much weight must be given to the apprehension; but in fact, as well as in substance, it was not so. He knew of no crime to which the statement that it was undefined could be with so little justice applied as that of treason or treason-felony. Hon. Members, strangely enough, and especially the hon. Member for Bedford (Mr. Magniac), who made a speech last night, said that treason and treason-felony was a Judge-made law. The hon. Member for Bedford showed the difference between the definition of murder and manslaughter and treason; and he said that in the one case there was a *bonâ fide* definition, but in the other case they had simply the words and opinions of the Judges to guide them. Treason was clearly defined in the Act of Edward III., and his right hon. and learned Friend the Home Secretary had mentioned what was, indeed, well established in practice. Of course, in one sense words might amount to high treason; for instance, it would be treasonable for a man to incite people to rise and take up arms against the Sovereign, for that would be incitement to war. An invitation a Foreign Power might be conveyed by words, and that would be high treason; because it amounted to what was in substance an act which came within the Statute of Edward III. When, however, they came to deal with words alone, he said that substantially there was no such thing in these days known to constitute high treason or treason-felony which could be proved by words, and words alone. His right hon. and learned Friend the Home Secretary had dealt with the statement in the text of *Blackstone* with respect to high treason; and his hon. and learned Friend the Member for Mayo (Mr. O'Connor Power) had challenged him (the Attorney General) personally to say whether that doctrine would apply in the case of treason-felony. The challenge was one which deserved to be answered; and he, in answering it, wished to express his gratification that the hon. and learned Gentleman, who had but recently joined the Bar in this country, had already given proof that he was likely to make a distinguished Member of the Profession. He was astonished, however, that the hon. and learned Gentleman had not exercised a little more caution, in giving the challenge, by reading the Statute to which he referred. The 11 & 12 *Vict.*, which created the offence, expressly declared that mere words alone should not constitute treason-felony, and that there must be an attempt by "force or constraint" to compel the Queen or the Ministry to change their measures before the offence could be committed. That was a necessity which ran through the whole of the section. The Legislature, however, were not satisfied to rest there; and they proceeded, in the 4th section, to say that no person should be prosecuted for any felony, by virtue of the Act, in respect of such act so far as concerned mere words, unless the warrant should be applied for within 10 days of the uttering of the word, and unless the warrant should be issued within two years next after the passing of the Act. It contained, as the Committee would see, the express declaration that no words spoken alone should, after the year 1850, constitute the crime of treason-felony. It was argued that it might be held that mere political agitation, that mere attempts by argument or assertion of views to procure legislative independence for Ireland, constituted the crime of high treason. They provided only for the right administration of the law, and not for the wrong. There was no reason to suppose that for the first time the Judges would commence to read the law wrongly; it could not be supposed that the Judges would take upon themselves the grave responsibility of misreading the law in order to accomplish some end; against such a thing there was a safeguard in the character of the Judges, there was a safeguard in political opinion. The hon. Member for the City of Cork (Mr. Parnell) said they had no public opinion in Ireland to protect them; and he (the Attorney General) admitted that the hon. Gentleman and those with whom he acted, and on whose behalf he spoke, had not made much of English public opinion. They had said in the House of Commons they did not care for English public opinion, and that they did not wish to appeal to it. He was sorry they had taken that view, for they could have made much of it if they had appealed to the just public opinion at this time. If they were willing to throw it on one side, he was sure the English public would not withhold its opinion from them. If in this country any Judge refused to perform his duty in order to accomplish an end which was not right, he could assure the hon. Member for the City of Cork there would be such an opinion expressed throughout the country that would form a great safeguard to the person accused, and would form a condemnation of the Judge who had betrayed his trust. Now, let him ask the Committee to consider what would be the effect if they refused to put treason or treason-felony in the clause. The effect would be that they would be able to get at the minor offenders, but not at the instigators or prime movers in crimes of treason or treason-felony. It would be in the recollection of the Committee that in the case of the Cato Street conspiracy the men met in secret conclave and agreed upon murder; they were tried for high treason, for high treason was their offence. It was now clear that persons committed murder at the bidding of secret societies—at the bidding of persons who had planned the crime; but if the Amendment were accepted, the very persons who had selected emissaries to commit murder, with the object of striking a blow at the Government, would, if they made their platform of crime broad enough, escape, for they could not be brought to trial before the new tribunal, while the persons who had committed the crime could be. He had now dealt with the first and second objections to the clause. In the next place, it was said there ought to be no such enactment as that which was suggested by the sub-section, unless it could be proved that juries had in the past refused to convict in cases of treason or treason-felony. He would not take issue upon the statement made. He demurred altogether to the objection, because it was not a proper objection to take. The first thing they had to determine was whether crime existed in Ireland. If there was no crime in the country, no widespread unpunished crime, the Bill was not wanted, and it was the duty of the House to have thrown it out on the second reading. He asked hon. Members who voted for the second reading, and who thereby admitted the necessity of the Bill, to consider whether, if they were satisfied that the crime of treason, which created murder, did exist, something ought not to be done to meet the present state of things, and to deal with the crimes when once they were detected. When it was admitted that crime was there, it was useless to say that in times past there had been convictions. They were dealing with a new state of things; they were dealing with a state of things under which it had been proved that men sympathized with crime; they were dealing with a state of things in which it had been proved that men sympathized with murder. Was it, therefore, a proper argument when they said—" We admit that juries would not convict the murderer, yet we ask you not to be prepared to try the source from which these murders have sprung by this new tribunal?" They had to look to the future, and they had to look to the punishment of the guilty persons, if detected; they had to do something to instil terror into the men who committed these crimes. They had to let the men know that if once they committed a crime, and evidence could be found against them, there would be to try them an impartial tribunal, which would show no sympathy with the criminal. Let that be shown to them, and the Committee might fairly hope that their action, if not entirely paralyzed, would be seriously crippled. He hoped the Committee would seriously consider the position of affairs, and refuse the Amendment now before them.

Mr. HEALY said, the hon. and learned Gentleman the Attorney General had used a phrase which corresponded with a phrase used last year when the Coercion Bill was passing through the House. The hon. and learned Gentleman was cheered, just as the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) was cheered last year. The late Chief Secretary for Ireland said, last year—" We must strike terror into these criminals;" and the Attorney General now used the same expression. Unfortunately, as the criminals of last year were not paralyzed by the Coercion Bill, so the criminals of this year were not likely to be troubled by the present Bill. The hon. and learned Gentleman had given a friendly warning to the hon. and learned Member for Mayo (Mr. O'Connor Power). He (Mr. Healy) wished the Attorney General for Ireland had been in the House when the Attorney General and the Home Secretary were speaking, in order that he could have received from those right hon. and learned Gentlemen a friendly lesson in law. The hon. and learned Gentleman the Attorney General, in his capacity of a lawyer, stated—"There is no such thing as treason or treason-felony which can be proved by words alone;" and the hon. and learned Gentleman now maintained that expression. Now, let them contrast that with the words of the Attorney General for Ireland, and he thought they would find a conflict of opinion between the English and Irish Law Officers. This was a friendly lesson in law, which he (Mr. Healy) was attempting to give to the English or Irish Attorney General, because he did not yet know which of them was in the wrong; and until the Committee was able to decide the matter he was afraid he would have to act as temporary schoolmaster for both those hon. and learned Gentlemen. The Attorney General said words alone did not constitute treason; but, some time ago, the Attorney General for Ireland quoted from a speech of the hon. Member for the City of Cork (Mr. Parnell). The words quoted were—

> "A spirit that is shown in every quarter and corner of Ireland. That spirit, fellow-countrymen, will never die till it carries the alien rule which has kept our countrymen impoverished and in chains, ... clean over the Channel."

And the right hon. and learned Gentleman the Attorney General for Ireland asked—"What is that but rank treason?" Was that the opinion of the English Attorney General? He paused for a reply.

The ATTORNEY GENERAL (Sir Henry James) said, he stated distinctly that words which excited to war or rebellion, or which invited an alien to attack us, would amount to treason; and he proceeded to say that mere words did not, under the Act 11 & 12 *Vict.*, constitute treason-felony.

Mr. HEALY said, he took down in shorthand the words of the hon. and learned Gentleman, and they were as follows:—

> "When you deal with words alone there is no such thing as treason or treason-felony which can be proved by words alone."

The ATTORNEY GENERAL (Sir Henry James) asked the hon. Member if he took down in shorthand his words in reference to inciting to war?

Mr. HEALY said, he did not take down the entire speech, and he did not think the hon. and learned Gentleman could expect that he should. The hon. and learned Gentleman made an extraordinary admission, and that extraordinary admission was quite sufficient for his (Mr. Healy's) purposes. He had quoted it against the Attorney General; and he would now proceed. He would, however, like to know whether the Attorney General agreed with his learned Brother from Ireland that the words of the hon. Member for the City of Cork constituted "rank treason?" The hon. Member for Tipperary (Mr. Dillon) made a speech at one of the Land League meetings in Dublin, and he gave it as his opinion that the tenants should not go into the Land Court until certain test cases had been tried. The Attorney General for Ireland, referring to that speech, said—

> "That was to say, a man was not to have liberty even to apply to the Queen's Courts, without the permission of this Land League. They need not tell him that all this was not treason. Mr. Parnell himself was at this time steeped in treason to the lips."—[3 *Hansard*, cclxvi. 809-10.]

He (Mr. Healy) really thought it was time they should have a clear understanding on this matter. The hon. and learned Member for Cambridgeshire (Mr. Bulwer) had very properly asked, if the hon. Member for the City of Cork was not "steeped in treason to the lips," why was he imprisoned at all? He (Mr. Healy) would ask why, if his hon. Friend was "steeped in treason," was he in the House of Commons to-day? The Government had made a charge against the hon. Gentleman, and they had neither withdrawn it nor substantiated it. The Attorney General for Ireland told them that the words of the hon. Gentleman constituted "rank treason," and that the hon. Gentleman was "steeped in treason to the lips;" the English Attorney General said that no words alone could constitute treason. ["No!"] He very much regretted that there was a difference as to the jurisdiction of the hon. and learned Gentleman; and he also regretted that there was a dispute as to what had been said. The Home Secretary made an extraordinary admission, which showed very clearly to them the reason for this Bill. They had always regarded the right hon. and learned Gentleman as a man whose brain was filled with all kinds of dynamite plots and vain imaginings, and the right hon. and learned Gentleman had told them that that was the case. He (Mr. Healy), however, never believed the right hon. and learned Gentleman would confess the mental pabulum he had been battening on of late. Referring to certain vile newspapers which incited to murder, and to the invasion of this Realm, the right hon. and learned Gentleman said—"There is not a day in which I do not read columns of this stuff." He regretted to think the right hon. and learned Gentleman should read columns of this "stuff" every day, because it was very unfit stuff for a man who had to bring forward a Bill of this kind to read, and who should keep his head cool and clear. The right hon. and learned Gentleman should read something upon the other side. If the Home Secretary turned to the columns of *The Daily Express*, or *The Dublin Evening Mail*, or *The Northern Whig*, or any other of these very loyal journals, he would find a very excellent tonic to the ferocity of Mr. O'Donovan Rossa. The Solicitor General for Ireland, in defending this Bill the other day, said the Bill was necessary because in the columns of *United Ireland* there had been a quotation from the writings of Mr. O'Donovan Rossa. The editor of *United Ireland*, however, had written to him (Mr. Healy) to say that he had taken the extraordinary quotation in question from *The Daily Express*—the chief Orange organ. Nothing, however, was charged against *The Daily Express* for making the quotation originally. The charge came against the paper which copied it at second-hand. The editor of *United Ireland* said he never saw O'Donovan Rossa's paper in his life; the Home Secretary, however, received it every morning by mail. Such things as these were made the ground for bringing in a measure of this character. They had had another remarkable admission by the Home Secretary—it was an admission of which he hoped the most would be made. The right hon. and learned Gentleman said the "freest expression of political opinion would be allowed under the Bill," and that the Bill was not designed in any way to prevent the expression of opinion. If that were so, he should invite the right hon. and learned Gentleman, at a later period, to support the proposal that no person who had been committed for trial for treason or treason-felony should be tried by three Judges, when the treason or treason-felony alleged had been committed by publication in a newspaper, or by speech at a public meeting. They would be able to test the sincerity of the right hon. and learned Gentleman on that point. They knew that the Attorney General for Ireland would soon find himself on the Bench. They knew what he considered "rank treason," and they would like to know what the Home Secretary considered "free expression of opinion?" They had heard that Judge O'Hagan's Act was the cause of all the mischief. That was not so, because Judge O'Hagan's Act was amended by the Act of the right hon. Member for East Gloucestershire (Sir Michael Hicks-Beach). Judge O'Hagan's Act proposed a certain qualification for jurymen; and the late Conservative Government did not attempt to interfere with trial by jury, but increased the qualifications of jurors. The right hon. Gentleman the Member for East Gloucestershire was the man upon whose Act the present jury system was founded. It was with the Act of the Tory Government, which was generally supposed to be more illiberal than a Liberal Government, and not with the Act of Judge O'Hagan, that the Government were now interfering. Now that they had learned that words spoken might, in certain cases, constitute treason, he thought the Judges should be 12 men, peers of the accused. It was his misfortune to have made many speeches in Ireland. He did not know that he would very much care to be tried by so nice a gentleman as the Attorney General for Ireland. Instead of being tried by one who had so keen a sense of what was treason or treason-felony, he should prefer to be dealt with by 12 of his countrymen; and for that reason he should give his strong opposition to the clause.

Mr. A. GREY said, that the hon. Member for Hertford (Mr. A. J. Balfour) made, in an incautious moment, some general accusations of no pleasant character against all the hon. Members who had spoken in favour of the Amendment on the Liberal side of the House. [Mr. A. J. Balfour: Not all.] He did not understand that the hon. Gentleman made any reservation; but he understood him to insinuate that all the hon. Gentlemen who had spoken in favour of the Amendment on the Liberal side of the House were influenced, in the speeches they made and in the votes they were about to give, by the Irish vote in their constituencies. If the hon. Member had remembered, as he now evidently remembered, that the noble Lord the Member for Calne (Lord Edmond Fitzmaurice) spoke in favour of the Amendment, and that he represented a borough very closely resembling in character the borough of Hertford—if he had also remembered that the hon. Member for Great Grimsby (Mr. Heneage), who had not 20 Irish electors in his constituency, also supported the Amendment, he would not have made a statement so damaging to himself. Hon. Members on the Ministerial side of the House were no more biassed by the Irish vote than hon. Gentlemen opposite were biassed by the English vote in their constituencies. The hon. Member for Hertford inferred that the Government might possibly make a concession in the direction of the Amendment of the hon. and learned Member for Christchurch (Mr. H. Davey). He (Mr. A. Grey) was afraid, from what they had heard from the Ministerial Bench, that there was little chance of any such concession. The hon. Member for Hertford had said that, although it might be a political blunder to propose this sub-section, the fact of the Government introducing it made its passing a political necessity. Although he (Mr. A. Grey) acknowledged the force, he also recognized the immorality of such an argnment. [MR. A. J. BALFOUR: That was not my argument.] He (Mr A. Grey) said he understood that the argument of the hon. Gentleman was something very like that. He ventured to contend that the political effect of making concession in the direction of the Amendment of the hon. and learned Member for Christchurch entirely depended upon the quarter of the House from which the appeal for concession came. If Her Majesty's Government were to make a concession in obedience to the demands of the hon. Member for the City of Cork (Mr. Parnell), and in opposition to the united opinion of hon. Gentlemen behind the Treasury Bench, it would, he admitted, have a very damaging effect, for it would inflict a serious blow upon the authority of the Government in Ireland. But the effect would be very different if Her Majesty's Government were to make a concession in obedience to the demands of hon. Gentlemen behind them. It must be well known to the right hon. and learned Gentleman who was in charge of the Bill that there existed not only among the extreme, but among the more moderate section of the Party which supported the Government, an extreme dislike to Sub-Section A. The right hon. and learned Gentleman the Home Secretary had pointed out the nature of the crimes which would, in his opinion, go unpunished, unless the Sub-Section A was included in the Bill; but the right hon. and learned Gentleman must have failed to notice the Amendment standing on the Paper in the name of the hon. Member for Great Grimsby (Mr. Heneage). If that Amendment was accepted the Government would attain the very object it had in view, only by means less distasteful to a large number of hon. Members. His hon. Friend the Member for Great Grimsby proposed to omit the words "treason or treason-felony," and insert at the end of the clause "conspiracy to commit any of the aforesaid offences." All attempts upon the life of the Queen, or all conspiracies like the Cato Street conspiracy, would come under the operation of the clause if the suggestion of the hon. Member were adopted — every case, in fact, brought forward by the right hon. Gentleman on the Front Ministerial Bench would be covered by the Amendment to which he referred. If the Government were to introduce such an Amendment he was confident it would meet with considerable favour. He could not sit down without saying that he viewed with satisfaction the resolution with which the Government were endeavouring to pass the measure, which he believed to be absolutely necessary for the maintenance of law and order.

MR. MAGNIAC rose to address the Committee, but was received with repeated cries of "Divide!"

MR. HEALY rose to Order. He wished to ask if it was in Order for hon. Gentlemen, who could be named, if necessary, standing at the Bar, to interrupt the hon. Gentleman by shouting "Divide! Divide!"

THE CHAIRMAN said he had not noticed any peculiar interruption, and he was sure the Committee would be glad to hear the hon. Gentleman.

Mr. MAGNIAC said, he did not often trouble the Committee, and he did not propose to trouble them very long now. He thought, however, that if an hon. Member rose to make an explanation in consequence of some reference to himself, he was entitled to be heard. His hon. and learned Friend the Attorney General had done him the honour to refer to an argument he used very briefly last night, when he was alluding to the difficulty of defining treason, and the facilities for defining murder, arson, and the other offences mentioned in the clause. The hon. and learned Gentleman had put the case for him much stronger than he could have put it himself; but he seemed to misapprehend what he intended to say. What he had said was that there was no difficulty whatever in defining the crime of murder, arson, attempts to kill, and such offences, but that there was difficulty in defining treason. His hon. and learned Friend said the reverse was the case; he said that the crimes to which he (Mr. Magniac) had referred did not depend upon Statute—they were not included in the Statute, but that the crime of high treason was the only crime that was included in the Statute. That was precisely the whole of his (Mr. Magniac's) argument. He contended that the crime of treason depended upon the fallible words of fallible men, and it had to be interpreted in connection with matters which were placed in the Statute by men who had failed hitherto to define what the offence was. Everyone knew what murder was; but treason depended upon the mere judgment of men.

Mr. LEAMY said, he would have been quite content to go to a division had it not been for the conduct of certain hon. Members sitting below the Gangway on the other side of the House, and of certain other hon. Members standing at the Bar, who had endeavoured, by shouting, to prevent the utterance of opinions in favour of the views of the Irish Members. He did not intend to occupy the time of the Committee very long; but he wished to invite the attention of hon. Members to what had fallen from the hon. Member for Bedford (Mr. Magniac). The crime of treason depended upon Statute, which did not attempt to define it; and under the new tribunal the definition of treason would lie entirely with men who, certainly in political cases, did not possess the confidence of the people; and, therefore, they asked that the crime should not be included in the list of those to be sent before the new tribunal. A well-known authority on the Law of Evidence, referring to the difficulty of defining treason, had said—

> "The line between treasonable conduct and justifiable resistance to the encroachments of power, or even the abuse of Constitutional liberty, is often so indistinct—the position of the accused is so perilous, struggling against the whole power and formidable Prerogatives of the Crown—that it is the imperative duty of every free State to guard with the most scrupulous jealousy against the possibility of such prosecutions being made the means of ruining political opponents."

He was afraid that if a prosecution had been instituted against the hon. Member for the City of Cork (Mr. Parnell), a week after the Guildhall speech, there would have been very little chance of his escape from any tribunal of Judges. There was one thing which showed the cue of the course the Government were now taking. It was the threat of the Irish Judges to resign. There was a Judge here the other day, who, it was reported, said he would not be made a hangman by the English Government. They were told last night that there was sympathy for the traitor in Ireland, and that that sympathy came from the time when almost every patriotic Irishman was bound to be a conspirator. He would tell the Government that anyone who was sent before the tribunal of three Judges, and who was found guilty of treason or treason-felony, would receive the heartfelt devotion of the Irish people; the English Government would call the man "traitor," the Irish people would call him "patriot." Murder was murder all the world over; but a traitor in one country might be looked upon as a patriot in another country. When a man was brought before Judges in Ireland on a charge of treason or treason-felony, the Irish people would say that that man's life and liberty had been tampered with by men with loaded dice in their hands. He knew that, notwithstanding the opposition of some of the Government supporters, the Amendment would not be carried, and the Committee would be told it was absolutely necessary if they wanted to put down treason in Ireland. They had got no evidence of the existence of political secret societies. They had asked for such evidence from the Home Secretary. They had asked the Home Secretary for evidence as to the failure of juries to convict. There came to the Home Secretary's assistance the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson), and he said that the argument that juries had not failed to convict in criminal cases was only a technical one against the clause. But suppose they were able to produce evidence in the case of every one of the offences mentioned in the clause; suppose they were able to show that trial by jury had not failed in cases of murder, or arson, and the like, would anyone pretend to say that the Government would come down to the House and ask for a Bill to suspend trial by jury? The English people might feel tolerably secure in the possession of their liberties; there were, however, many political rights which the English enjoyed at this moment, but which the Irish did not enjoy. For those rights they had to struggle yet, and they intended to struggle; and it was, therefore, all the more desirable that the Irish people should not be deprived of a single Constitutional safeguard. They knew very well that this Bill, aimed as it was at political agitation, would fail to put down political agitation. He and many of his countrymen looked upon the Bill as a means of testing their fidelity to the National cause. The people would come out of the struggle with triumph. The English Government would fail, as they had always failed; and he believed that before the three years during which the Bill was to operate were over, they would recognize there was only one way of putting an end to secret political societies, and that was by granting to the Irish people the right to make their own laws.

Question put.

The Committee *divided:*—Ayes 227; Noes 70: Majority 157.—(Div. List, No. 104.)

Amendment proposed,

In page 1, line 17, after "treason felony," insert "committed after the passing of this Act."—(*Mr. Lea.*)

Question proposed, "That those words be there inserted."

SIR WILLIAM HARCOURT said, this Amendment would carry out the intention he had expressed earlier in the evening.

Question put, and *agreed to.*

MR. HEALY moved, as an Amendment, in page 1, line 17, after "felony," to insert the words—

"Provided always, That this section shall not apply in the case of any person committed for trial in consequence of any words appearing in a newspaper published in Ireland, or for any words spoken at a public meeting in Ireland."

The effect of this Amendment would be that if any person was on trial in consequence of words written in a paper or spoken at a meeting should not be tried by Judges, but by a jury, and that was a proposition which he thought the Government might accept. The Home Secretary had said this Bill would permit the freest expression of opinion, provided that a writer or speaker did not aim at the overthrow of the Constitution. He was sure the right hon. and learned Gentleman did not intend to suggest, as against the jurors in Ireland, that if any charge was made of attempting to overthrow the Constitution they would not properly deal with it. There was necessarily some wearisome iteration in the arguments upon this matter; but as they were true, he was afraid that, like the "starling," Irish Members must go on crying "Mortimer" to the Government, if they refused to make any concessions upon these points. The Government of England had instituted a series of prosecutions against newspapers in Ireland, and in every single instance they had been successful. They had prosecuted Mr. Sullivan, not for treason, but for the lighter offence of sedition, and he was convicted. Mr. John Mitchel was prosecuted and convicted for treason-felony; and several newspapers had been convicted. The Government sometimes took a very short method with newspapers, and seized them, although they did not seize organs of immoral principles in England, such as *The National Reformer*, which inculcated blasphemy and Atheism. Those papers were not prosecuted, and *The Freiheit* was permitted to remain in circulation. But in Ireland the Government seized the newspapers — though where they got the power to do so the Lord only knew—and tried them with a certainty of conviction when there was nothing like a fair show of evidence. Then, with regard to public meetings, he should be surprised to learn that the Government thought that a man who had designs for overthrowing the Constitution would proclaim those designs in public meetings. It was with conspirators that the Government had to deal—with secret and hidden conspiracies. The man who was seeking to overthrow Queen Victoria and the British Realm would not go on to a platform and state his designs, but would conceal them; and the man who was about to murder someone else would not proclaim his intention in the newspapers unless he was a fool, and if he was a fool there was not much reason to be afraid of him. In no newspaper had there been anything like incitement to murder or outrage. One passage had been quoted; but it was taken from the Tory *Express* of Dublin. No complaint was made against that paper, but against the paper which quoted the passage, while the editor had stated that he had never seen a copy of O'Donovan Rossa's paper. He sincerely hoped the Government would make some concession in regard to public meetings and newspapers. The Government, it was said, desired to give the fullest liberty of expression wherever that liberty was compatible with the institutions of the country; and, to make out their case, they ought to produce some evidence that in any newspaper in Ireland, from the chief organs in Dublin to the meanest country newspaper, there had been any words constituting treason. Irish Members demanded such evidence, and would continue to demand it. If the Government could show that there were newspapers which incited to treason, let them produce their evidence. If they said they wished to cope with speeches on public platforms, he would remind them that heinous expressions had been used on public platforms in England as well as in Ireland. For instance, one man in England had said it would have been lucky if Joe Chamberlain had been in Phœnix Park, and had been stabbed instead of the other men. Then, during the regretted illness of the Prime Minister, there had been shouts at a Tory meeting of—"Very glad; put him in his coffin!" Those words were uttered at a meeting in 1880 without the slightest reproval from anyone. What the Government had to deal with was language showing designs of a treasonable character. Let them deal with that; but was it likely that men who had treasonable designs would go on to public platforms and say so? Was it the view of the Government that the Irish were such poor conspirators that whenever they wanted to overthrow the Queen they would form a committee, appoint a chairman, and pass a resolution "that the Queen shall be overturned; and we are the men to do it?" It was necessary to be precise upon this point, because the present Attorney General for Ireland would soon be made a Judge. The right hon. and learned Gentleman said certain words were rank treason, and the utterers of them were steeped in treason. There was not a word used by the hon. Member for the City of Cork (Mr. Parnell) which the Attorney General for Ireland said was rank treason, which he (Mr. Healy) did not endorse, and should be prepared to repeat in that House; but he did not want to be tried by the Attorney General for Ireland. They must draw the line somewhere, and he hoped the Government would make some distinct statement upon this matter.

Amendment proposed,

In page 1, line 17, after the word "Act," to insert the words "Provided always, That this section shall not apply in the case of any person committed for trial in consequence of any words appearing in a newspaper published in Ireland, or for any words spoken at a public meeting in Ireland."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

Sir WILLIAM HARCOURT said, he agreed with a good deal of what the hon. Member had said; but he could not accept the Amendment, because it was founded on a supposition which the hon. Member (Mr. Healy) entertained, and which he seemed to think some lawyers entertained, that under no circumstances could words spoken or published be treason. But that was not the law, and the hon. Member had entirely misapprehended what the Law Officers had said. The argument put forward was, that if people encouraged, on platforms or in newspapers, the use of loose words capable of various interpretations, the law would come down upon them for treason by the words they had used; but that was not the law, and anyone who administered the law upon that footing would be perverting the well-known principles of the law. But in this Amendment the hon. Member went further, and proposed that nothing said on a platform or written in a newspaper should be treated as treason under this Bill. With that he could not agree. It was agreed that treason was to be treated under this section; and, if that was so, how could words spoken or written be excluded under all circumstances? Suppose a man on a platform distinctly recommended the people to make war on the Queen, or to assassinate the Queen, how could those words be excluded, simply because they were uttered on a platform? Or, suppose a man speaking on a platform said he had made arrangements to aid the landing of an enemy in Ireland? The hon. Member must see that it would be utterly impossible to exclude such cases. In the same way, newspapers might do the same thing; and though when they advocated reasonable opinions newspapers were a great blessing, if they advocated detestable principles they were a curse. The hon. Member for Newcastle (Mr. J. Cowen), he believed, considered everything that appeared in the newspapers good necessarily; but that was not his view. Suppose a newspaper recommended what might have appeared in a speech—recommendations to make war on the Queen, for instance, which was unquestionably treason—and it was circulated by thousands all over the country, could it be held that before this advice appeared in a newspaper, therefore it should not be dealt with as treason? The Committee would be entirely inconsequential if, having decided that treason should be in the Bill, it then said nothing on a platform or in a newspaper should be treated under this section as treason. Words spoken or written would be treason if they advised or persuaded to an act which of itself, if committed, would be treason. The legal definition of treason said—

> "Loose words, with no reference to any act or design, or which are not words of persuasion or advice, cannot be deemed to be overt acts of treason."

That was a clear distinction. The words must not be loose words capable of various interpretations, but distinct words of persuasion and advice to the doing of an act which, if it were done, would itself be a treasonable act. That seemed to him to be the clear state of the law; and, therefore, he could not accept the Amendment.

MR. JOSEPH COWEN said, he thought this Amendment really covered the greater portion of the objections to the Bill. Hon. Members opposing and seeking to amend the Bill, as far as it admitted of alteration, did not object to it so far as it attempted to prevent crime. They had little objection to it as a machine for detecting and punishing crime; what they did object to was its interference with the liberty of public opinion. They felt that the powers of the Bill would be used to prevent the legitimate expression of public opinion in Ireland. So far as he was concerned, he had no doubt the Bill would be leniently and temperately exercised by the present Viceroy. He would trust the Viceroy with these, or even greater, powers, without fearing their wise and equitable exercise; but this Bill might not always be administered by the same Viceroy. It would be in operation for three years, and during that time it might pass into hands which would not exercise the powers in the same way. The explanations of the Home Secretary were satisfactory, and the right hon. and learned Gentleman was, no doubt, sincere in his intentions; but, according to universal experience, measures of this kind, passed for a special object, had been used for other objects. It was stated that the last Coercion Bill would not be used except to arrest midnight marauders and villains; and the late Chief Secretary for Ireland said he could lay his hands upon those men, and that, in a few months, all the Irish criminals would be under lock and key, and the country would be peaceful. On the strength of that assurance, a large number of hon. Members on the Liberal Benches voted for the Bill; but political opponents were arrested, and not the criminals, who were still at large. The fact of those men being at large rendered some Bill necessary; and the Government must, therefore, excuse the suspicions that the power now asked for might be applied under a feeling of excitement or political exasperation. It was with a view to prevent that that this Amendment was proposed. The Bill ought to be made simply to apply to crime, and not to opinion. The explanation of treason given by the Home Secretary was a reasonable one—that a speech made, or an article delivered, might be as dangerous to the State and the institutions of the country as any act; but the circumstances had to be taken into account—the way in which a speech might be made, or an article written. The men who would decide whether a speech or an article was injurious to the country would be three Judges; but while hon. Members did not object to articles and speeches being dealt with by the ordinary tribunals of the country, they did object to their being tried by a tribunal in which the Judges were also the witnesses. A large number of the Judges in Ireland had won their way to their position by political services; and it was contrary to human nature to suppose that they would not be influenced politically when they were called upon to act as Judge and jury in cases respecting which they had expressed strong opinions, and entertained strong feelings. It was possible for treasonable practices to be committed by newspaper articles or by speeches; but such acts should be tried by the ordinary tribunals of the country, and not by this exceptional tribunal.

COLONEL NOLAN said, that the Home Secretary had put the case of a person inciting to murder or to open war, and said he had no doubt the hon. Member for Wexford (Mr. Healy) would be perfectly willing to make assassination an exception. In an Amendment which he himself had put down, for exempting treason or treason-felony from the Bill, he had carefully eliminated the case of any attempt to injure a Royal person. He did that not only because such an attempt would be a very serious offence, and more than usually wicked, but also because he knew that serious and regretable offences had created such an effect on the public mind that it was only necessary to raise the cry of an attack on the Queen to arouse very strong feelings. He did not think that question ought to be raised, but thought the hon. Member might consent to the suggestion he had made. That would be a reasonable compromise. As to the other case which the Home Secretary had presented, of an enemy landing in this country or in Ireland, or aiding of an invasion, such a case would be impossible; and, at all events, it was rather premature to legislate at present for any such contingency. If this country lost two naval battles, legislation might be necessary; but until that happened it was absurd to discuss a question of open warfare. If something of that kind occurred, he had no doubt the House would pass a Bill in 48 hours proclaiming martial law. These cases, however, were not the cases present to his (Colonel Nolan's) mind. The case present to his mind was the case of someone advocating Home Rule on a platform in Ireland. That had been interpreted by an hon. Member as meaning severance, and it might be interpreted by this new tribunal as treason. It would be easy to guard against treason if the Government and hon. Members opposite would accept a compromise. Since the previous day there had been a serious change in this Bill, and it now presented itself in a new aspect. It now appeared that three or four new Judges would probably be appointed in Ireland. Four Judges were intending to retire; most of them because of this Bill, and one ostensibly on account of ill-health. He did not wonder at their retirement, and at their not caring to be placed in the position of Judge and jury. What would happen under this tribunal? The new Judges would be appointed under this Act, and anyone taking a Judgeship would know what he would have to encounter. The new Judges took their appointments under the shadow of this Act, and would be prepared to act up to it; and, therefore, there would be a tribunal totally different from that which was expected a few days ago. The new Judges would be appointed to undertake a very serious and formidable responsibility, such as Judges had never before had; and there would be nothing to prevent the Government from selecting their Commission of three exclusively from the new Judges. They would have the power of trying and settling what was, or what was not, treason; and they might decide that Home Rule was treason. He had been told that words he himself had used amounted very nearly to treason, and it would be a very serious thing for him to be brought before such a tribunal. Therefore, he hoped his hon. Friend would go to a division upon this point, for the question involved the freedom of politicians in Ireland and the freedom of the whole country.

MR. BULWER said, it appeared to him impossible to draw distinctions by way of definition between one class of treason and another; distinctions might as well be drawn between one class of murder and another. With regard to the argument of the hon. Member for Newcastle (Mr. J. Cowen), that this Bill would interfere with legitimate freedom of speech, he thought the hon. Member might set his mind entirely at rest upon that point; but if the Bill did produce some little moderation in the language used at public meetings in Ireland it would be very valuable.

MR. O'DONNELL said, it so happened that he himself had been very nearly a victim to the construction which a Government official could put upon words spoken at public meetings. In England there had been no observation more common at public meetings with the Party to which the hon. and learned Member for Cambridgeshire (Mr. Bulwer) belonged than that throughout Ireland the law was in such a condition that nobody minded the Government of the Premier, while everybody minded the government of the hon. Member for the City of Cork (Mr. Parnell). That language passed unchallenged in England, and was, doubtless, considered calm and moderate by the Conservatives; but in the course of a speech at Dungarvan, on the occasion of a visit to that town by the hon. Member for the City of Cork in October last, he (Mr. O'Donnell) contrasted the general unpopularity of Her Majesty's Government and the general unpopularity of the Liberal policy with the general popularity in Ireland of the policy of the Land League, and he stated that nobody in Ireland cared for the Government of Mr. Gladstone, while everybody cared for the government of Mr. Parnell. He used those words in the same sense as Lord Salisbury, and a large number of other Conservative speakers had used them, and he found that he had narrowly escaped the attentions of the Chief Secretary for Ireland, for the right hon. Gentleman openly quoted those most innocent and moderate words as distinctly proving that he entertained treasonable intentions in regard to the Government in general. He was merely criticizing the policy of the particular Party then in power; and the Attorney General for Ireland, sticking to the ship, as he said he was bound to do, endorsed the opinion of the Chief Secretary for Ireland that he (Mr. O'Donnell) had used treasonable language in speaking with undue levity of the Government of the Prime Minister. He was quite sure that the mind of the late Chief Secretary for Ireland was as judicial a mind as that of a great number of Government nominees on the Irish Bench, and was quite as judicial as the minds of any of the Government nominees who would be specially appointed to fill the vacancies on the Irish Bench with a view to the operation of this Bill. This Amendment was, of course, an attempt to limit the scope of the sub-section which was designed to deal with treason and treason-felony. There was no reason why, if the Bill could not be amended, it should not be exposed. Unquestionably, the tendency of the Bill would be to compel men belonging to the National Party to be silent, and that would render public agitation in Ireland on Constitutional platforms absolutely impossible. It would not long be safe to speak ill of the Government of the day, except in secret conclave, and under the greatest possible precautions. In this respect this particular clause exemplified the policy of the late Lord Lieutenant of Ireland, when he stated at Belfast that the policy of the Government at the time was to drive disaffection under the surface. If, for language spoken at public meetings in carrying out Constitutional agitation, men were to be held liable to conviction as traitors by three Judges in whom nobody placed any confidence, the result would be to prevent public meetings and public discussions, and absolutely necessitate secret associations. He maintained distinctly that where the Government of any country made public agitation impossible, then it was not only the right, but the duty, of the people to engage in secret association. Public liberty and national rights were sacred; they were the first things to be consulted, and where the Government prevented national rights and liberties being discussed and defended, the duty remained on the nation to defend its rights, and to maintain them secretly or by any other means, only with the limitation of prudence. He had observed all through this discussion that the Government tried to assume that trial by jury was proved to have broken down. If trial by jury had broken down, what was the legitimate conclusion? Not that an irresponsible tribunal of Government nominees should be set up. If it were proved that trial by jury had broken down, the only legitimate conclusion to be drawn would be that if the offences which jurors refused to convict upon were moral offences, the duty of the Government would be to reform the law and carry it out by statutory tribunals. But, although the Government asserted that trial by jury had broken down, they had not proved anything of the kind. The Home Secretary and the Attorney General for Ireland scoffed at the idea that there was any necessity to prove that, saying that it was incontestable that treason and treason-felony existed in Ireland, and that, whether by acts, or words, or publications, treason and treason-felony were promoted, and, therefore, this tribunal of Government nominees must be established. The Attorney General had said that he altogether demurred to the contention that proof of the breakdown of trial by jury was necessary; but the position which the Government assumed for the purpose of creating an exceptional tribunal in Ireland was one which they would be equally entitled to hold in regard to England, because, undoubtedly, treasonable sentiments and treason did flourish in England. Within the last few days a foolish organization, called the Democratic Confederation, held a meeting at Westminster within a stone's-throw of the House, at which resistance to the law, if necessary, by shooting people was openly advocated. That was treasonable conduct; but the Government did not propose to abolish trial by jury in England in consequence of such sentiments in England. The existence of treasonable sentiments in Ireland did not absolve the Government from the necessity of proving that trial by jury had broken down; but instead of doing that they called upon the House to give them power to construe, not merely acts, but words, as treason. The Government, in bringing forward this monstrous proposition, relied only upon the ignorance and ready prejudice of England against Irishmen and Irish nationality. No matter how great public disaffection might be in England, no Minister would dare to introduce such a proposition for this country. The Government were simply treating Ireland in this way because they thought it safe. The Home Secretary had presented the case of open incitement to war and rebellion being apprehended in Ireland actually during the course of a foreign invasion of that country. There had been repeated attempts to extract from the country some idea of their foreign policy; but after the statement of the right hon. and learned Gentleman that during the operation of this Bill—during the three years for which it was to run—they expected a foreign invasion of Ireland, against which they must take precautions, he thought a more alarming statement of the foreign policy of the Government had been obtained, quite incidentally, than could have been expected under other circumstances. If that expectation of a foreign invasion was a mere vain imagining created by the Government to impress an erroneous impression on the House, then the Government were singularly wanting in respect for the House, and were descending to stratagems unworthy of any Government. The hon. Member who had contested his statement that the new tribunal was singularly unreliable for offences of this description was evidently not aware that all the Irish Judges had protested against duties of this kind being imposed upon them, and were resigning one by one, rather than do this dirty work. In connection with this clause, which was a clause to suppress Constitutional agitation in Ireland, he would ask the Committee to weigh well the sentiments signified by the resignation of Baron Fitzgerald. Among all the Irish Judges, Baron Fitzgerald, without the slightest doubt, stood highest in the respect of the Irish people. That respect was founded on no community of religion, for he belonged to the religion of the minority; but he had such a name for stainless probity and impartiality that, if the principle of trial by jury could be laid aside at all, the Irish people would prefer that that single Judge, without assistance and without appeal, should try the grievous offences, and himself, if necessary, be witness, Judge, and jury in one. Baron Fitzgerald would retire from office on the day when this Bill received the Royal sanction. Baron Fitzgerald was a prop and pillar of law and order in Ireland, and yet he would resign on the day this Bill received the Royal sanction rather than play the part of a judicial "Jack Ketch," which he would have to do if he accepted that which would be imposed upon him by the Bill. He (Mr. O'Donnell) warned the Government—and he ventured to warn the House—to profit by the example, and learn a lesson from the resignation of Baron Fitzgerald. The clause would simply prevent Constitutional agitation, or, what was equally detrimental, it would render the exercise of every Constitutional right dependent on the arbitrary will of the Government nominees. Even if those Government officials did not exercise the arbitrary power at their disposal under this clause, every man in Ireland would be under a menace of the possible exercise of that arbitrary power. Such a position could not be endured by any defender of national liberty; and he entirely sympathized with those Irish Representatives who considered that during the duration of this Bill, and especially during the duration of the operation of this clause, all Constitutional agitation in Ireland ought to be suspended, together with all representation of the Irish people in that House, and all co-operation in the work of, by Constitutional means, reforming Ireland. By this Bill, and by this clause, the English Government in Ireland declared that nothing but secret organization was safe; therefore, out of regard to their people, and to the interests committed to them, they ought not to continue the most dangerous and detrimental course of public agitation; but the whole people ought to take refuge in as secret as possible a system, guarded round by every precaution that could protect them from the machinations of government by *sbirri* and Cossacks.

COLONEL NOLAN said, it was very easy for a person to misrepresent a speech he had heard delivered by someone else. They had had an instance of it this evening, and that, too, on the part of a skilled witness—an hon. and learned Member who was in the habit of dealing with evidence and cross-examining witnesses. The hon. and learned Member for Cambridgeshire (Mr. Bulwer) had so misrepresented his (Colonel Nolan's) words that, although entirely innocent of the meaning attributed to him, if he were to be tried by a Judge he would be very likely to be brought in guilty of that meaning. When the hon. and learned Gentleman could so misrepresent him, how might not an ordinary listener, at the edge of a crowd, at an open-air meeting do so? Such ordinary person might be ready to come forward and swear most emphatically to that which might be really an utter misrepresentation of what had been said.

MR. T. D. SULLIVAN said, that, in pleading for this clause of the Bill, the Home Secretary was at his usual work of exaggerating the dangers to the State which were alleged to exist, and of minimizing the dangers to public liberty which were involved in the passage of this measure. But why should they speak in that House at all of Irish liberty? There appeared to be no regard whatsoever for it. It seemed to him that there was no measure of repression for Irish political life, for Irish freedom of the Press, for Irish freedom of the platform, too extravagant for that House to pass. The Home Secretary tried, as usual, in his very skilful way, to assure the House that there was very little harm indeed in this measure. The right hon. and learned Gentleman spoke of it smoothly and softly; and he showed, or attempted to show, that without it law and order in Ireland would be in great peril, and that with it no well-intentioned man would be in any danger whatever. But the Irish Members asked the Committee now, as they had asked it before on other occasions, not to rely too much on those representations of the Home Secretary. However smoothly he might talk of it in the House, they knew the aspect it would assume when it was passed into law, and was transferred to the care of the Irish Judges and magistrates to administer amongst the Irish people. The right hon. and learned Gentleman said that loose and strong words written and spoken in connection with Parliamentary agitation would not come within the purview of this clause, and the Committee seemed somewhat disposed to accept those rather re-assuring words. But the Irish Members, who knew something of Ireland, and of the Irish magistrates, and of the Irish Judges, denied altogether the truth of this representation. He thoroughly and sincerely believed that there was no time of political excitement in Ireland in which it would be safe for Irish public men to speak on a platform, or for Irish pressmen to write in their newspapers the ordinary language of Irish political agitation, if this measure were law. He had been himself connected with political affairs in Ireland for a period of about 25 years; and he had a most profound conviction that upon many occasions within that period, if he had been tried for his speeches or his writings, before such a tribunal as that which would be established by the Bill, he would have been sent to penal servitude. He believed the same danger would confront them in the future. It was of no use telling the Committee that strong language that was not manifestly of a treasonable character would not be challenged by the Judges and the Law Officers in Ireland, or that, if so challenged, no conviction could possibly be obtained. What were the facts? As had already been stated in the House, the Irish Judges seized every opportunity that was open to them of delivering strong political harangues. They knew that the Irish Judges were intensely and violently opposed to political agitation in Ireland, even though that agitation were what was called legal and Constitutional. It was detested by them. They condemned it in every way they possibly could; and if they could get it within their grasp—as they would be able to do when this Bill became law—the writers and speakers of the language of political agitation would surely suffer. Quite recently they had had a specimen of the temper of the Irish Judges. On the very eve, he might say, of the recent State Trials in Ireland, the Lord Chief Justice of Ireland so delivered himself in a public Court that the matter became absolutely a public scandal. He prejudged the cases of the men yet to be tried, and spoke so strongly and intemperately that he found it desirable to retire from the trial of the case in consequence of the storm of public opinion which he had created. There were other Judges in Ireland who would be a little more careful in the delivery of their sentiments than was Lord Chief Justice May; men who were more judicious and prudent, but who were just as bitter at heart as was Lord Chief Justice May, and who would have given agitators brought before them just as short a shrift as he would have given if they had been tried by a tribunal of this kind. Therefore, the Irish Members contended, and he thought with good reason, that there would be no security for political speech or writing if this Bill became law. They might exist at the mercy of the Judges of Ireland; but, as Grattan had once said, to depend on the goodwill of another man was the very definition of slavery, and that was the condition to which public life would be reduced in Ireland under the provisions of this Bill. They were told that there was some safeguard in English public opinion against abuses of the measure; but English public opinion was no safeguard—the very contrary was the case. An Irish magistrate, an Irish Judge, or anyone else, might denounce patriotic action and political speaking and writing in Ireland; and the more severe the temper in which he regarded these things the more did he charm English public opinion, and produce in the Press of England applause and approval of every sort. They had had a specimen of the public opinion of England in the House of Commons when the arrest of Michael Davitt was announced. The shout that arose from those Benches, and almost shook the glass over head, told them what was public opinion in England. The roar of approval that arose in the Mansion House when the Prime Minister announced the arrest of the hon. Member for the City of Cork (Mr. Parnell) was another evidence to them of how much they might rely on English public opinion for the safeguarding of Irish liberty. If, instead of announcing the arrest of the hon. Member for the City of Cork, the Prime Minister could have announced that his head had been cut off, the shout of approval would have been even more intense than it was. They knew very well what would happen when freedom of political utterance was suppressed in Ireland—the House had been warned of it over and over again. What would happen would be this—people would convey their opinions to one another in private; they would frame resolutions and form plans and projects that would not bear to be discussed in the light of day—that no speaker from any platform would venture to advise, and that no writer in the Press of Ireland would sanction and approve of. Freedom of the Press and freedom of speech had been in Ireland, as elsewhere, not a peril to public liberty, but a safeguard of it. Abolish that, and they would be face to face with dangers more serious and perilous to the peace of both Ireland and England than any they could have to contend with in consequence of allowing freedom of speech and freedom of the Press to prevail.

MR. T. C. THOMPSON said, that, unless they took great care, they were going to deprive the subject of the protection to which he was entitled by the law. The law of England had been that the question whether the words, written or spoken, were a libel was a question for the Judge; but under the influence of that great statesman, Charles James Fox, an alteration was made in the law, and the jury was made judge of the libel, and not the Judge. Under that law the subject had a double protection. He had, in the first instance, the protection of the Judge explaining to the jury what the law was, and he had the additional protection of the jury, notwithstanding the expression of opinion from the Judge, deciding for themselves what the law was. In the present case, if they did not accept the Amendment, the fact of the Judge sitting in place of the jury would deprive the prisoner at the Bar of the double assistance or double protection which he would have in an ordinary case of libel from the Judge and jury. The consequence might be that the prisoner would be in a very much worse position than he was in now, when he had the benefit of the jury as well as of the Judge. He (Mr. Thompson) wished to put this as clearly as he could. If the Judge laid it down that such and such a thing was a libel, the jury might take his opinion, or they might refuse to be guided by it. It was for them to decide, as well as it was for the Judge to express an opinion; but under the Bill they would have the Judge acting for himself, expressing his opinion, as it were, to himself, and the consequence was that the prisoner was deprived of his second protection. He did not know what the Government intended to substitute for that second protection. Unquestionably, they were going to give an appeal; but it would be an appeal only to a Judge again, and the prisoner would never get that expression of public opinion which was outside the Judicial Bench. They all knew very well—at all events, most of those connected with the Bar knew very well—the immense difference that separated the Bench from the Bar. Well, there was a similar distinction between the Bench and the public. No doubt the Judges were independent. He was inclined to believe, notwithstanding what had been said to the contrary, that the Irish Judges endeavoured to do their duty to the best of their ability. They could only be removed by Addresses from both Houses of Parliament; and he had no doubt there was the protection that they, as far as they could, would do their duty. But here the Committee was imposing on the Judges a double duty. In ordinary cases, with Judges sitting as a jury, a prisoner would be in a worse position than he would have been under the existing law; he would lose the influence with which counsel touched the minds of juries by their appeals; but where the offence charged was in connection with political writing or speaking the prisoner would be in a very much worse position still, as besides the power which counsel brought to bear in common cases he would lose the influence of public opinion, which always affected the jury in such cases, but never affected the Judge. He did not wish to waste the time of the Committee; but he had desired to put these points as clearly as he could, as he thought they should do nothing inadvisably, nothing unwisely, to touch the liberty of the subject.

MR. BIGGAR said, the Amendment proposed by the hon. Member for Wexford (Mr. Healy) seemed to him to be one that the Government could not have reasonable grounds for objecting to. If their object was to get a certain number of criminals punished, whether guilty or not, it was, no doubt, a good thing that the trials should be before a selected tribunal. By this Bill a jury would be selected by the Lord Lieutenant. They knew the system of packing juries had been largely followed in Ireland; but under this new legislation, not only would new juries be packed, but a new sort of Judges would be appointed to try a particular description of case, these gentlemen only having temporary employment. They would be altogether different to the ordinary Judges, who were practically independent, so far as Irish Judges could be independent, of the Government of the day. The Government of the day, as had been pointed out, could not suspend the present Judges, who could only be interfered with by an Address from both Houses of Parliament. But it was proposed by the Bill to select from the Bar, if it was so desired by the Executive, a certain number of lawyers—Queen's Counsel—who could be trusted to carry out the behest or the will of the Government. That was a state of things which he did not think any so-called Liberal Government could openly and honestly defend. The proposition of the Bill had been objected to by all the Judges in Ireland, he believed. It was reported—and he believed the report was well-founded—that two of the Judges had offered their resignation rather than submit to the terms of this new law. One of these Judges, Mr. Baron Dowse, was a gentleman of great ability, who had risen to be leader of his Circuit, and had not had much fault found with him as a political partizan. The other was Mr. Baron Fitzgerald, a gentleman who had never held either of the two Irish Law appointments—namely, the appointment of Attorney General or Solicitor General for Ireland. He was a gentleman who would not be under the suspicion of being a political Judge, and in whom the public would have very great confidence. Both of these Judges refused to undertake the duties proposed to be conferred on them —refused to be parties to a scheme which they believed to be so unfair and detrimental to the due and honest administration of justice. With regard to the particular Amendment of his hon. Friend as to words spoken, it was always very difficult to repeat the exact words spoken by a person, particularly at a public meeting. The reporter had not always an opportunity of hearing everything that took place; and if he made a slip of one word in a sentence, or one word in a speech, it might alter entirely the whole meaning of that sentence or that speech. The custom in Ireland had been to send to take reports of proceedings at public meetings men who were not competent to write shorthand at all. In the State Trials in 1881, a number of persons were examined, from time to time, with regard to alleged words uttered by the speakers, and they had been obliged to confess that they were perfectly incompetent to take down a whole speech as spoken by a speaker. Now, in that state of things, it seemed to him that very great care should be taken, if justice was to be done, in framing such an Act as this. If the object of the Government was merely to find a number of persons guilty, of course it was a different matter; and he must confess that it seemed to him that unless they accepted the proposition now before the Committee their sole object was to obtain convictions, and not to do justice. With regard to speeches, nothing was more easy than for the prosecution to select individual sentences from whole speeches which, taken by themselves, probably conveyed a different meaning from that which was intended by the speakers, and from that which the whole speeches would convey if carefully reported. In the case of 1881, the two Judges —Fitzgerald and Barry—allowed witnesses to give evidence after they had acknowledged themselves incompetent to take down all that had been spoken by the speakers. Under those circumstances, he thought the Government should agree to the proposition of his hon. Friend. Then, as to the freedom of the Press, there was not the slightest difficulty in prosecuting a newspaper if it infringed the law. It was not as though it was a difficult thing to get a conviction in a case of that sort; the words were printed down and the case was clear. They had seen what the Government had done during the past six months. They had not only seized newspapers week by week, but they had driven a newspaper from Dublin altogether for a good many weeks; and, ultimately, prosecutions being brought against them, they had found their position untenable, and had been mulcted in damages for the value of the newspapers they had seized. It was probable that the Attorney General for Ireland—the advising Counsel of the Government at the time these newspapers were seized—was consulted on the subject, and offered it as his opinion that the Government would be justified in making the seizures. Now, if the Attorney General for Ireland got upon the Bench, and if he should be one of the Judges selected to try these cases, they might fairly assume, when questions of this kind came before him, as they did in December last, that he would act in the same spirit as when he recommended the Government to suppress the paper called *United Irishman.* Under these circumstances, he thought, in the interests of political speech, and in the interests of a free Press, the Government should not object to the Amendment before the Committee. There was always plenty of freedom of speech and freedom of the Press in a time when there was no political excitement; but as soon as political excitement took place the Government was sure to declare that things spoken and written that had been held to be perfectly innocent in ordinary times were highly improper and seditious. No prosecution would take place under the Act unless some great excitement occurred. When that excitement occurred, and these selected Judges—who had been selected, first of all, on the tacit understanding that they were to find verdicts of "Guilty," whether rightly or wrongly—gave their decisions, they would suffer in the opinion of the English public; but instructions would be sent to the different local Whig newspapers, and circulars would be sent round to the so-called Liberal Associations in the country, denouncing the action of the Irish speakers and of the Irish Press, and a spurious public opinion would thus be excited, with the result of making it appear that the public opinion of England was entirely in favour of the decisions of these selected Judges. He trusted that a Liberal Parliament would declare in favour of freedom of speech and freedom of the Press. If speakers or the Press infringed the law, the law as it at present existed was perfectly competent to punish them, and was sufficiently stringent for all the objects required. It seemed to him that it was unreasonable to say that the proposed alteration in the law was necessary.

MR. LEAMY said, he thought that, seeing they had the Attorney General for Ireland there, they should get some information from him as to the manner in which trials would be conducted under this Act. They were about to have a new and exceptional tribunal established, and it appeared to him only right that they should have some statement as to the mode of procedure which would be adopted in that tribunal. They knew how trials for treason were conducted now. They knew that before the jury were called on to give their verdict the Judge usually summed up the evidence, and, on a question of law, gave his direction. Now they were to have three Judges on the Bench; and he was curious to know whether it would fall to the lot of one of them to explain the law to the other two; whether the three, after hearing a case, were to retire to a consulting room and make up their mind as to what verdict they should give; or whether, immediately after the closing address of the counsel for the prosecution, each Judge would proceed, without any consultation with his fellows, to give his opinion? This might seem a very trivial sort of thing; but, after all, if they were to have an exceptional tribunal, he thought they ought to be told how it was to work. They knew that at present it was the custom for the jury to retire into a private room to consider their verdict. He wished to know whether the Judges would follow that example; and, if so, whether, when they came out of the retiring room, they would give their reasons?

THE CHAIRMAN: I must point out to the hon. Gentleman that the questions he is raising are not within the limits of the Amendment, which is with regard to words spoken, or words in newspapers.

MR. LEAMY said, he did not wish to travel beyond the Amendment, and the subject to which he had been devoting his attention he would come to by-and-bye. The Amendment before the Committee provided that no words spoken at a public meeting, and no matter printed in a newspaper in Ireland, should be held to be evidence in any trial for treason or treason-felony within the meaning of this sub-section. The hon. Member for Cavan (Mr. Biggar) had pointed out that recently at the State Trials witnesses were put forward by the Crown to prove words spoken at certain meetings, which witnesses had had to admit that they did not write shorthand, and that, as a matter of fact, they had only taken down a word here and there. He himself had been concerned in a case that occurred in the county of Londonderry a short time ago. A man was prosecuted for preaching the "no rent" doctrine. A witness, a police constable, appeared, and was sworn; and when he (Mr. Leamy) proceeded to cross-examine him, he found that the man had not taken down, at the time they were uttered, the words which were relied on by the Crown to secure a conviction, but that he had gone home, and, a considerable time after, proceeded to write down the words. But that was not all. The witness admitted that he had only put down from memory such phrases as he thought would be likely to be sufficient to enable the Crown to secure a conviction. Were they to have the same thing carried out under this Act? Were they to have speakers prosecuted for what they had said on the evidence of men who were not acquainted with shorthand, and who did not take down the words relied on when they were delivered, but put them down from memory some time afterwards? That was important, when they bore in mind the incident which had occurred that evening, when the hon. Member for Wexford (Mr. Healy) was replying to the hon. and learned Gentleman the Attorney General (Sir Henry James). The Attorney General had said—"Oh, you took down one sentence, but you did not take down the whole of my speech. If you had done so, you would have found the particular sentence you quote would not bear the meaning you attach to it." But they had found that in trials in Ireland particular portions of speeches, that it was believed would serve the purposes of the Crown, only had been taken down. He knew it was the boast of their Poet Laureate that England was a land

"Where, girt by friends and foes,
A man may speak the thing he will;"

but he knew that an Irish Member could not address his constituents without finding himself in the presence of a couple of men sent down by Government, to try and torture every word he said into something seditious. He should like to see the Amendment accepted; but, at the same time, he had not much hope of it. When a Liberal Government proceeded to measures of this kind there was not much hope; but, whether this Bill was passed or not, so long as he was a Representative of the people, he should always speak the thing he thought. He knew there would be attempts made to check free speech in Ireland, and he knew what effect those attempts would have. He and his Friends had been trying to guide popular sentiment in Ireland, trying to keep the people out of illegal courses and from secret societies, and to hold out to them the hope that there was a chance that by Constitutional agitation they would win back their national right. The Irish Members knew very well that the English Government found it inconvenient to have them here. They had been rather troublesome to the Liberal Ministry, having prevented that Ministry, who had come in with such splendid promises of reforms for England, from carrying out their pledges. They had compelled the Ministry to pay attention to Irish questions, and had made them cut a sorry figure in regard to their promise of reforms for England. The English Government were, therefore, anxious to get rid of them. They would find, in the long run, that it would be better to deal with extreme partizans in that House than with extreme partizans outside, who now cared very little for English Ministers or the British Government.

Question put.

The Committee *divided*:—Ayes 26; Noes 61: Majority 35.—(Div. List, No. 105.)

MR. PARNELL said, that, in the absence of his hon. Friend the Member for Tipperary (Mr. Dillon), he wished to move a portion of the Amendment which stood in the name of his hon. Friend. His hon. Friend proposed to leave out the Sub-Sections B, C, D, and E, which specified among the offences to be tried—B, murder or manslaughter; C, attempts to kill; D, aggravated crimes of violence against the person; E, arson, whether by Common Law or by Statute. He (Mr. Parnell) would not move the whole of this Amendment, but would propose simply to leave out from Sub-Section B the words "murder or." He did this on the ground which had been frequently stated in the course of the discussion in Committee, that there had been no failure on the part of juries to convict, during the last two years, where the weight of evidence required them to convict. He again respectfully asked the right hon. and learned Gentleman the Attorney General for Ireland to state whether, in his opinion, as one of the Law Officers of the Crown, there had been any failure of justice, with regard to juries, in the cases of murder tried during the year 1881, in each of which it was, no doubt, true that the persons accused were acquitted. Personally, he was not aware that any charge had been brought against the juries upon these occasions of having acted contrary to the evidence; and if the Government could not make out a satisfactory case, or a more satisfactory case than had been made out, in regard to Sub-Section A, he should certainly feel himself compelled to put the Committee to the trouble of a division.

Amendment proposed, in page 1, line 18, to leave out the words "murder or."—(*Mr. Parnell.*)

Question proposed, "That the words 'murder or' stand part of the Clause."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he was sorry that he had been unable to be in the House that night in the earlier part of the discussion; but he did not think that the hon. Member was quite justified in stating that he had endeavoured to avoid expressing an opinion. It was hardly to be expected that if juries broke down in cases of less importance, as far as the penalties awarded to them were concerned, than murder, they would have succeeded in doing justice in cases of murder. If any hon. Member would look into the Report of the Lords' Committee of 1881, and examine the evidence given by Mr. Bolton in July, he would see there a continuous series of cases, coming down to the year 1880, in which the juries had made default, not from any misapprehension, not from any mistake, and not from any inability to weigh the evidence properly, but from a determination not to convict.

MR. PARNELL asked if the cases referred to were murder cases?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he was speaking of murder cases, and the Committee would find them all mentioned in the Report of the Lords' Committee. He would give one instance. It was a case of a murder committed with firearms. A portion of the wadding was found either in the neighbourhood of the scene of the murder, or on the person of the murdered man. A corresponding piece of wadding, with the identical word through which the paper had been torn, was found in the pocket of the man charged with the offence. The accused was also brought in immediate contact with the scene of the murder, and yet the jury acquitted him. It would be found, on referring to the case, that one of the Judges—he thought it was Mr. Baron Dowse—expressed his astonishment at the conclusion arrived at by the jury, and asked them if there had not been some mistake on their part. It would also be found in another case that Judge Lawson expressed similar astonishment, and also Mr. Justice Fitzgerald.

MR. O'DONNELL asked if the right hon. and learned Gentleman did not mean Baron Fitzgerald?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, no; he had referred to Mr. Justice Fitzgerald, who was a different person. It seemed to be an extraordinary thing that there should be two persons who did not possess the same identity. There had also been a lamentable miscarriage of justice since he had been in Office; but he would not refer to it more in detail. Probably hon. Members would understand why he exercised a reserve in the matter. It was a most lamentable case.

MR. PARNELL asked what the case was?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he would tell the hon. Member if he would put the question to him out of the House; but he could assure him that the results in the case he had in his mind had been most lamentable. He would, however, give the Committee one instance, and one only, of a case which had occurred since he had been in Office, and from that case he would ask the Committee to draw an inference whether it was possible to get juries to deliver a verdict in accordance with the weight of evidence or not. It was a case of public interest, tried at the Kerry Spring Assizes. The Judge who presided was Mr. Justice Barry. It was a case of posting a threatening notice. Two constables, who were watching behind a ditch, saw a man approach a Roman Catholic church, and put a threatening notice on one of the piers.

MR. PARNELL said, that a threatening notice was not murder.

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, the hon. Member for the City of Cork was too hasty. Murder followed upon this transaction. One of the constables jumped across the ditch, and the instant the man charged with the offence heard a rustle behind him he pulled the notice down and ran away. Both constables followed him. The man apparently thought that if he tore the notice and threw it down the constables would probably stop to pick it up. He therefore threw it down; but, instead of stopping to pick it up, the first constable who was in pursuit of him followed him up, and caught him. The second constable, who was following behind, picked up the torn notice, which was put together and produced in Court. The indictment was read. The jury were properly empannelled; the Judge was fully competent to try the case; the evidence was clear; the man was taken red-handed, and yet the foreman of the jury, after the case had been heard, and the jury had retired, came back and informed the Judge that one of the jurors had stated that if they sat for six weeks he would never consent to a conviction in the case. The Judge discharged the jury. The foreman who made the statement was Mr. Herbert, and a few days afterwards Mr. Herbert was murdered. He might mention another case. A friend of his, when at the last Spring Assizes, had a son, an only child, who was summoned to serve on the jury. The father got a friendly warning that if he allowed his son to serve on the jury, and a certain particular case came before him, and there was a conviction, he would inevitably be put out of the way. His friend thought it his duty to compel his son, even if apprehensive of danger, to discharge his duty as a citizen; but he was strongly advised, against his own judgment, not to risk his son's life. He (the Attorney General for Ireland) thought he had quoted enough to show that jurors were acting from terror, and that they could not be relied upon. He might put in a statement contained in a confidential report made to him, in reference to the present year 1882, by one of his own officials. The official said—"In my judgment ——"

Mr. BIGGAR: Who is the official?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, he was not going to state. He had already said that this was a confidential report made to him by an official, and he gave it on his responsibility as Attorney General for Ireland. The official said—

> "In my judgment, trial by jury in its present condition, instead of being a protection to innocence, operates as a protection to the guilty."

Mr. HEALY: What do the Judges say?

Mr. BIGGAR: Is the official Mr. Clifford Lloyd?

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, he had already informed the Committee that he could not give the name of the person who made this statement, and the Committee would well understand the reasons for the refusal. He thought he had adduced sufficient to show that it was impossible, in the present circumstances and condition of Ireland, to obtain a fair and impartial trial by jury in agrarian cases. It would be impossible for him to accept the Amendment moved by the hon. Member for the City of Cork (Mr. Parnell).

Mr. O'DONNELL said, the Committee had now received a sample of the kind of cases which the Government had trumped up against Irish juries. Hon. Members who heard the statement were perfectly well able to judge of the accuracy of the description given by the right hon. and learned Gentleman. The right hon. and learned Gentleman had read an anonymous scrap of paper from some subordinate person, probably Mr. Clifford Lloyd or Major Bond.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson): I said it came from an official who is responsible to me, which no magistrate is.

Mr. O'DONNELL said, he did not know that the fact of the man being responsible to the Attorney General for Ireland made the responsibility one whit more important than if it was a responsibility to the Lord Lieutenant of Ireland. Of course, he was well aware that the Attorney General for Ireland had a sufficiently high idea of the importance of his functions; but he begged to assure the right hon. and learned Gentleman that that anonymous scrap of paper from the official who was responsible to him possessed very little value at all. The man who wrote it knew very well that the right hon. and learned Gentleman could dismiss or promote him, according to the sort of evidence he was able to produce. The kind of responsibility which this subordinate official enjoyed appeared to be indescribable, and there he (Mr. O'Donnell) would leave it. Then they had another story that was almost anonymous—the story of some person who, having found a scrap of paper in the pocket of a man accused of an offence, which corresponded with another scrap of paper that was brought into immediate connection with the instrument of death, and because the jury did not put these two pieces of paper together, and jump at once to the conclusion that the man who possessed one piece must have fired the fatal shot, the right hon. and learned Attorney General for Ireland was excessively indignant with the jury for not having hanged the accused man. The right hon. and learned Gentleman made an attempt to connect the torn scrap of paper found in the possession of the accused with the other scrap of paper which had been used as wadding; and, therefore, according to the opinion of the right hon. and learned Gentleman, any man who intended to become an assassin in future had only to contrive to get in his possession a scrap of paper torn from a letter, or from a book belonging to another person, in order to make it necessary for an intelligent jury to declare that the person who possessed the corresponding scrap must have been the actual assassin. He really thought that the right hon. and learned Gentleman had afforded a useful illustration of the methods by which the Law Officers of the Crown in Ireland arrived at conclusions. But this was not all. The right hon. and learned Gentleman told another anonymous story, and a very delicate story, judging from the reluctance of the right hon. and learned Gentleman to enter into any details in regard to it; and these were the only cases given by the Government to justify the abolition of trial by jury in the case of persons charged with murder. He (Mr. O'Donnell) ventured to think that every man accused of murder had a right to have a fair trial for his life; and if he had not a fair trial, and was sentenced to death without a fair trial, then the men who condemned him to death were murderers, and he would make no exception, whether they were official persons or not. He contended that the Committee had received no evidence whatever from the Government, and they were not going to receive evidence of a single case in which a jury had been discharged, or in which a jury had acquitted a man charged with murder, where they ought to have agreed upon a conviction. ["Oh, oh!"] Hon. Members who said "Oh!" were quite as ignorant in the matter as the Attorney General for Ireland. There was simply a dead set being made against the jury system in Ireland for English Party purposes. That was the real explanation of the proposals contained in this Bill. They were asked to abolish trial by jury in Ireland, because it had occasionally happened in that country that a jury returned a verdict of acquittal. But did not the same thing constantly happen in England, and constables accuse the wrong person in default of finding out the right one? It was of fundamental importance in the Constabulary mind that somebody ought to be accused. Somebody, therefore, was accused, and because 12 men were unable to consider that the evidence which had satisfied the mind of Policeman X, who was ambitious for promotion, was not sufficient to convince them of the guilt of the man, the right hon. and learned Attorney General for Ireland at once proposed that trial by jury in all accusations for murder should be abolished in Ireland. There had not been an attempt made in the discussion which had taken place that evening, on any part of the clause or of the sub-sections, to prove in any case in which the jury had disagreed that the evidence was conclusive, and that the jury did not disagree for good reasons. Not a single attempt of this kind had been made. On the contrary, they were told that the fact that murders took place in Ireland, or that treason was committed, formed a sufficient reason for abolishing trial by jury. Murders took place in England. [Mr. HEALY: No.] Yes—dastardly murders. [Mr. HEALY: No, no.] He could assure his hon. Friend the Member for Wexford that murders did take place in England; and it was, further, a fact that dastardly murders took place in England, and that a large number of those murders went unpunished. [Mr. HEALY: Oh dear no.] A very large number went unpunished; but he did not think there was the slightest likelihood of Her Majesty's Government introducing a Bill for the abolition of trial by jury in England. If they did, he was afraid that Her Majesty's Government would be in a sad minority at the next General Election. ["Hear, hear!"] A staunch Ministerialist who sat behind the Liberator of Bulgaria applauded that statement. Judging from the applause of that Ministerialist, perhaps one of the grounds on which Her Majesty's Government would go to the electors at the next General Election was that they had abolished trial by jury in Ireland. Did not the Government see the lesson they were teaching in insisting upon this monstrous proposal, by declaring that juries in Ireland declined to give their verdicts according to the evidence placed before them, by justifying upon that ground the abolition of trial by jury, and by endeavouring to make out that the abolition of trial by jury was necessary for the detection of crime in Ireland? Not a single word had been uttered by the Government, or by a supporter of the Government policy, to show that this Bill would promote the detection of crime; and by asserting that trial by jury, one of the fundamental Constitutional principles of civilized society, ought to be abolished in Ireland, they were teaching the horrible lesson that, unless future Governments were encouraged to bring in similar Bills, there would be a failure in the detection and punishment of crime. That was the lesson which the English Government were seeking to teach the Irish people; and, by so doing, they were driving the Irish people into a course which would render the detection and punishment of crime extremely difficult. The Ministerialists applauded the policy of the Government. They considered that it was likely to obtain for the Liberal Party a majority at the next General Election; and there had been an attempt to defend it on the part of the right hon. and learned Gentleman, who, however, was not present during the previous discussion, because his views, in giving an exposition of the law, would have inconveniently clashed with the views laid down by his English Brother. The right hon. and learned Gentleman was now, fortunately, present in order to afford to the House a complete and satisfactory exposition of the unreason on which Her Majesty's Government was conducted in Ireland.

MR. JUSTIN M'CARTHY said, he had no desire to find fault with the right hon. and learned Gentleman the Attorney General for Ireland for the manner in which he performed, with as much courtesy as possible, his somewhat difficult duties in that House; but he thought that the last speech of the right hon. and learned Gentleman was singularly unfortunate. The speech was made to prove that there were sufficient grounds for exempting trials for murder from the ordinary law which prevailed in England and Ireland. They were bound to suppose that the Attorney General for Ireland was in possession of sufficient reasons for taking up that position, and they had expected that he would have brought them forward in order to justify the course the Government had taken. But what was the argument of the right hon. and learned Gentleman? In order to induce the Committee to agree to this extraordinary and exceptional course, in the first place, he read to the Committee three or four words from some anonymous correspondent, whose name he declined to give, and who had informed him that, in his judgment, trial by jury in its present condition, instead of being a protection to the innocent, operated as a protection to the guilty. The Committee had no means of judging what amount of weight or authority was to be attached to this declaration of opinion, and they had no means of testing the accuracy of the statement made. What other means had the right hon. and learned Gentleman taken in order to induce the Legislature to adopt the extraordinary course proposed to them by Her Majesty's Government? He gave the Committee another example—the example which had been referred to by his hon. Friend the Member for Dungarvan (Mr. O'Donnell)—the case of a man who was not convicted of murder by the jury after they had heard the whole of the evidence. Now, in that case the only evidence against the man who was charged with murder was that he had in his possession a portion of the piece of paper which was subsequently discovered to be part of another piece that was found wrapped round the bullet that killed the murdered man. That evidence amounted to this. If one were out in the country walking along the road-side, and were to tear a piece of paper in two, throw one part away and put the other piece in his pocket, and the corresponding piece was subsequently used as wadding, and was found in a murdered body, then the jury ought to find him guilty of the murder. He would appeal to any hon. Member of the House whether, if he had been upon the jury, he would for one moment have listened to the idea of convicting a man of murder on trumpery evidence like this? It was no evidence at all; and if there were other evidence of a stronger character, why was it not brought forward, or why were the Committee not informed of it? Yet this case was given to the Committee as an excuse for the kind of legislation the Government were now introducing. Hon. Members who opposed this Bill were placed at a great disadvantage. The assumption against them appeared to be that by their opposing the Government they were endeavouring to screen outrage. They were doing nothing of the kind. They were only insisting that the law, as it at present stood—the law both in England and Ireland—was sufficient for the conviction of crime, if proper evidence were only produced. What they said was this. If the Government did not give sufficient evidence, but simply wanted to strengthen their own hands by establishing a tribunal which would convict, without regard to the evidence, any person accused of murder, they had no right to ask the House to assist them until they had established an overwhelming case. He said, therefore, that if the Government had any stronger reasons to give in support of their position than those which had been already brought forward, they ought to be produced at once. As far as the speech of the right hon. and learned Gentleman the Attorney General for Ireland was concerned, it contained no reason and no evidence whatever to justify the proposals contained in the clause.

Mr. PARNELL said, he had put a question to the right hon. and learned Attorney General for Ireland in the hope that he might have been saved the necessity of putting the Committee to the trouble of a division. He had asked the right hon. and learned Gentleman if he could give the Committee any instance, during the two years of the agitation of the Land League coincident with the right hon. and learned Gentleman's tenure of Office, in which, in his opinion, a jury had given a verdict against the weight of evidence in a case of murder. The right hon. and learned Gentleman said there was one occasion on which this had occurred; but the right hon. and learned Gentleman did not think it proper to inform the House what that case was. He (Mr. Parnell) was, therefore, not able to identify it, or examine the basis of the right hon. and learned Gentleman's conclusions. At the same time, he had no doubt that the right hon. and learned Gentleman had acted with proper regard to his duty in not stating the evidence to the House. Now, he (Mr. Parnell) had followed the list of cases sent to trial for murder, and had read the evidence attentively; and his impression was that in no case in which persons were made amenable to the law since the land movement came into operation had there been a failure on the part of the jury to convict where proper and suitable evidence had been given. The right hon. and learned Gentleman attempted to controvert his (Mr. Parnell's) views by referring him to what he called a long list of failures on the part of juries to convict, which was contained in the evidence given by Mr. Bolton, the Crown Solicitor for the County of Tipperary, before the Lords' Committee of last year. When he (Mr. Parnell) asked the right hon. and learned Gentleman if these were cases of murder, the right hon. and learned Gentleman said "yes," with a great deal of emphasis. Now, he (Mr. Parnell) had had an opportunity of going over all these cases since the right hon. and learned Gentleman had alluded to them; and he found, in Mr. Bolton's long list of cases, that there were only three of murder extending over the period from 1854 to 1880.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, he had not referred to those dates. All he had referred to was the number of cases which had occurred between 1875 and the present date.

Mr. PARNELL said, he had misunderstood the right hon. and learned Gentleman, and it was possible he might have made a mistake, as he had not had an opportunity of examining the evidence of Mr. Bolton as carefully as the right hon. and learned Gentleman had. He, therefore, accepted the right hon.

and learned Gentleman's correction of the dates. But, at all events, the figures he had referred to included the period of the years from 1875 to 1880, with the result he had already mentioned. These dates would not include the period which he was dealing with, of the Land League agitation. He must remind the right hon. and learned Gentleman that the late Government were in Office during most of that period; but they never thought it necessary to base upon that failure of juries to convict a demand for the abolition of trial by jury in murder cases. The right hon. and learned Gentleman had only given one instance of failure to convict in a case of murder to justify the Government in the proposals they now made. He wished to show the sort of evidence that was given before the Committee of the House of Lords in substantiation of the charge made against juries in the county of Tipperary of refusing to convict. That was one of the cases of murder to which he thought the right hon. and learned Gentleman referred. It would be found mentioned in Question 3,848 of the Evidence before the Lords' Committee. The charge preferred was that of firing at a man with intent to kill. The firearm used was a pistol. The pistol was loaded when found on the person of the man who was accused of the offence. It was loaded with what were called slugs cut from a piece of sheet-lead, and in the house of the accused person a piece of lead of the same description was discovered. But anyone who knew anything of sheet-lead knew that it was always the same. In the particular case mentioned by the right hon. and learned Gentleman, on the charge being drawn from the pistol, the wadding was found to consist of a piece of *The Dublin Evening Mail*, a newspaper which persons were in the habit of borrowing from a magistrate who lived in the neighbourhood; and in the pocket of the person charged with the offence a piece of the same newspaper was found. The contention raised by the right hon. and learned Gentleman was, that because a person had in his possession a piece of *The Dublin Mail* newspaper, and because a certain firearm was found to have been loaded with a piece of the same newspaper, therefore a jury of the county of Tipperary failed to do their duty in acquitting the accused upon this extremely doubtful circumstantial evidence. He must say that the right hon. and learned Gentleman had not made out a case. He had only been able to give the Committee one instance of the failure of a jury to convict in a case of murder. The same remark would apply to the three other instances which were given on the testimony of Mr. Bolton. Under these circumstances, with very great reluctance, he should feel obliged to take the sense of the Committee upon the Amendment.

Mr. LABOUCHERE said, he quite understood the object of hon. Gentlemen opposite, and their objection to allow sentence of death to be passed against their countrymen without the verdict of a jury; but it seemed to him that, in insisting on this Amendment, they were somewhat weakening their case in regard to treason and treason-felony, which remained in the category of offences to be dealt with by the Special Commission Court; but which, he hoped, would be reconsidered when the Bill came up upon the Report. The great argument in favour of treason and treason-felony being excluded was that they were political crimes, while all the others were personal crimes; and it seemed to him that his hon. Friend the Member for the City of Cork (Mr. Parnell) would gain his object better if he were to introduce the Amendment on Section 22, Sub-Section 2, which gave the Court its powers and jurisdiction. If he introduced there an Amendment not allowing the Court to pass sentence of death, his hon. Friend would gain all he desired to obtain by the Amendment which he now submitted. He threw out this suggestion because he thought that a good many hon. Members, who would not vote with his hon. Friend on this Amendment, would vote with him on a similar Amendment on Clause 22, because they were altogether opposed to the infliction of sentences of death; and, in order to be consistent, they would feel bound to support the hon. Member.

Mr. TREVELYAN said, that he had attempted to make a careful analysis of the case referred to by his right hon. and learned Friend the Attorney General for Ireland. It was the case of a man who was brought to trial for firing with intent to murder, and it was one in which a portion of the newspaper was found on the person of the accused from which another piece used for wadding had been cut. Now, this was pretty strong evidence; but it was only a portion of the confirmatory evidence. There had been a large body of evidence, in addition to this fact, given against the man who was upon his trial.

MR. HEALY asked what the number of the question was in the Evidence before the Lords' Committee to which the right hon. Gentleman referred?

MR. TREVELYAN said, he was unable to say off-hand. But he felt that this was not a case which was to be argued on special grounds. He had a general list of crimes committed against the person, crimes which, if successful, would have been punished with death, and crimes which, when unsuccessful, were of the same guilt. In the case of murder, there were, in the year 1881, 17 murders reported. Of these, in four cases the persons suspected were brought to trial; but they were all acquitted. He would take next the case of firing at the person. There were 66 of these cases reported.

MR. PARNELL remarked, that the arguments had been confined to cases of murder.

MR. TREVELYAN said, that these were cases of attempted murder; and he wished to take murder and attempted murder together. There were 66 cases of firing at the person reported. In 20 of these cases the persons accused were brought to trial; 16 were acquitted and 4 were convicted. Of firing into dwellings there were 144 cases; 14 accused persons were brought to trial, and of these 11 were acquitted and 3 were convicted. That was to say, that of cases in which murder was either attempted or committed 38 were brought to trial, 31 were acquitted, and 7 were convicted; but in none of the cases of murder—the 17 murders committed in 1881—was a single person punished. Ten agrarian murders had been committed in the first five months of the present year; so that, in a year and a-half, there had been 27 agrarian murders in regard to which no person, as yet, had received the slightest punishment.

MR. HEALY said, the right hon. Gentleman had omitted a very vital portion of his statement. He had told the Committee that in the year 1881 there were 17 murders, and that this year there had been 10 more, making 27 in all, who had gone unpunished. He wished to ask the right hon. Gentleman in how many of these cases the murderers were caught?

MR. TREVELYAN: Forty of them were tried.

MR. HEALY said, that in four out of 27 there were trials. He would ask if these facts were sufficient to justify the House of Commons in consenting to the abolition of trial by jury? The right hon. and learned Attorney General for Ireland said that there was one case which he could not mention to the House. He would ask the right hon. and learned Gentleman if it was a case in which a lady was tried?

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON): No.

MR. HEALY wished to know whether it was an agrarian case at all? The whole claim of the Government was that these were agrarian cases, and that in regard to them sympathy existed between the people and the persons by whom they were committed. If it were not a case of an agrarian crime, it would not be a case in point at all; but, as the Bill now stood, cases which were not of an agrarian character would come within its provisions. A man accused of horse-stealing would not be tried under the Act; and were they going to tell Irish jurors that they were fit to try horse-stealing cases, but not murders? He should certainly move to insert horse-stealing and pocket-picking. Why should not the duty of trying these cases be thrown upon the Judges as well as that of trying those which were specified in the clause? He should certainly move to insert these offences, believing that, in that case, he would get the Government on the hip. The Government told them that it was not altogether agrarian sympathy that was concerned in the matter. They were told yesterday, when his hon. Friend behind him (Mr. Parnell) moved to insert that the offences dealt with should be agrarian offences, that it was not agrarian offences simply the clause was intended to deal with. If that were so, what was the class of offences they proposed to deal with? Was it horse-stealing? If not, they had better abolish trial by jury in Ireland altogether. Why should a man be put to the trouble of attending the Assizes, and leaving his work, under penalty of a fine, for the purpose of trying persons for horse-stealing, robbery, and plundering, when the same man was not to be trusted with any higher class of offences? He wished to get at the exact meaning of the Government. It was said that they could not distinguish between agrarian crime and ordinary crime. That was the statement of the Home Secretary yesterday; and it showed that the Home Secretary did not understand his own Bill; because, in examining the clauses of the Bill, he found there was a provision that the Lord Lieutenant was to give compensation in cases where the offences committed were supposed to be of an agrarian character. The Lord Lieutenant was to be the judge in that case; and yet the Home Secretary said—"How are you to judge whether the offence is of an agrarian character or not?" If the Home Secretary was correct, how was the Lord Lieutenant to judge? From first to last, the statements they had had with regard to the Bill were of a most flimsy character, and he should move to leave out every one of these sub-sections. So far the Government had given them no facts, and he insisted upon having facts, or, at any rate, upon exposing the intentions of the Government. The Committee were told by the right hon. Gentleman the Chief Secretary that there had been 27 murders in the course of the last 18 months, and there had not been one punished. His (Mr. Healy's) answer to that was in the words of the old proverb—"First catch your hare." Let the Government first catch their murderers and put somebody before the jury before they asked them to dispense with trial by jury altogether. He wanted to know what percentage of men had been put upon their trial, and what percentage had been acquitted? If there had been 27 murders committed in Ireland, and all of them had gone unpunished, all he had to say was that it was a great disgrace to Her Majesty's Government. How could they expect to maintain law and order when their police were so bad? Did they expect that the Judges would be able to do better for them? He ventured to say that they would not; and, for his part, he objected to a jury of three Judges. The right hon. and learned Gentleman the Attorney General for Ireland had made a most extraordinary statement. He had stated that Mr. Herbert was shot because he was foreman of a jury in the county of Kerry, which acquitted or was discharged because a member of the jury refused to consent to a verdict of conviction. He wished to know if there were no other persons on the jury who stood out? The right hon. and learned Attorney General, if he had been a Judge on that occasion, would, no doubt, have said that no person had a right to expose the secrets of the jury-box; and yet the right hon. and learned Gentleman was not ashamed to come before the House of Commons and expose those secrets. But if that fate befell Mr. Herbert because he would not consent to an acquittal in a case of posting a threatening notice, what would be the fate of three Judges who convicted a man of murder? The argument of the right hon. and learned Gentleman was that the people of Ireland were so bloody-minded that in a case of posting a threatening notice they shot the foreman of the jury because he refused to acquit the accused person. Now, supposing it was a case of conviction and murder before three Judges, what inference could they draw? He told the right hon. and learned Gentleman that he was pursuing a very dangerous path. He was telling the people of Ireland that they were so bloodthirsty that they shot Mr. Herbert because he refused to acquit for sending a threatening notice; and on that particular subhead they were dealing with crimes which would require the hanging of a man, not on the verdict of 12 men who would be the peers of the accused, but of three men who, in all probability, would be partizans of the Government. The right hon. and learned Gentleman said that Mr. Herbert was shot because he refused to acquit in the case of posting a threatening notice. He (Mr. Healy) invited the House to consider, by a parity of reasoning, what would probably be the fate of the Judges who refused to acquit in a case of murder tried under the provisions of this Bill? What would be the inference that would be drawn in Ireland he left the right hon. and learned Gentleman to explain. Personally, he thought it was a disgraceful charge to make against the people of Ireland, that they were ready to shoot a man because he refused to acquit a prisoner on a charge of posting a threatening notice, especially where, seeing there was a disagreement, no one was punished, and no vindictive feelings could have been aroused. Such an accusation ought not to be made, and he regretted that the right hon. and learned Gentleman had made it. Nobody knew better than the right hon. and learned Gentleman that Mr. Herbert had various other reputations besides the reputation he had acquired as a juryman. They would remember a calm-minded English journal making the remark that Mr. Herbert ought to be dismissed from the Bench for advising that the people should be "skivered," and that buckshot ought to be distributed amongst the people. The verdict of *The Spectator* was that the man who could make a recommendation like that was not fit to be a magistrate intrusted with the administration of justice. He (Mr. Healy) thought that he had now dealt with all the statements of the right hon. and learned Gentleman. He came next to the document the right hon. and learned Gentleman had read—a confidential document from some subordinate official. It was a wonderful thing that they never got these confidential documents published unless to suit the convenience of the Government. Whenever the Irish Members applied for the publication of a confidential document they were told that the document was confidential, and therefore it could not be given. By an extraordinarily fortuitous concurrence of events, the right hon. and learned Gentleman happened to have the faithful subordinate in Ireland; and just at the proper moment he was able to produce this remarkable document and flourish it before the Committee with an air of mystery and triumph. Now, let him tell the right hon. and learned Gentleman that that argument would not wash; it was a great deal too thin. They all knew that these confidential officials were in receipt of certain salaries from the Government; that the Government were about to abolish trial by jury in Ireland; and that these subordinates were only too anxious to earn their salaries. He thought that the feeling of the people of Ireland had just as much right to be considered as the statement of any confidential subordinate of the right hon. and learned Gentleman, or of the right hon. and learned Gentleman himself; and, therefore, unless distinct facts were placed before the Committee as to the number of persons who had been brought to trial, and the percentages of those acquitted, he should certainly challenge a division on every one of these sub-heads.

MR. P. MARTIN said, he desired to correct a misapprehension which he considered had been conveyed by the words used by the right hon. and learned Attorney General for Ireland. He understood the right hon. and learned Gentleman to state that the entire principle which this clause proposed to enact had been sanctioned by the Report of the Committee of the House of Lords on the Jury Act. Now, if that was the impression sought to be conveyed, he challenged the accuracy of that statement. No such conclusions had been adopted by that Committee, or, indeed, by any of their Lordships who sat on that Committee. It was true that a majority on that Committee did recommend the abolition of trial by jury to a limited extent. But that recommendation was opposed by Lords Spencer and Carlingford. The result of the evidence was not as had been stated. It was fairly summarized in the Report of the Committee—namely, that, as far as murder generally was concerned, there had been no failure of justice in Ireland. In regard to murders arising out of agrarian cases, he admitted that the Committee of the House of Lords came to a very different conclusion. What were they asked to do under the present Bill? Under this Bill, in every case of murder, whether agrarian or otherwise, they were asked to transfer the jurisdiction hitherto vested in a jury to three Judges alone. That proposal was not merely not in accordance with the Report of the Committee of the House of Lords on the Jury Act, but, as it appeared to him, it was entirely contrary to that Report. Their Lordships had, in their summary of the evidence to which he desired to call the attention of the Members of the Committee, carefully and pointedly called attention to the fact that the alleged misconduct on the part of the juries was, in the opinion of most of the witnesses, limited to cases in which the evidence came under a certain well-defined category, such as disputes as to the occupation of the land, crimes arising out of political or religious antagonism, and aggravated assaults. Then, as to the recommendations of the Lords' Committee, what were those recommendations? Were they to suspend trial by jury altogether in the case of murder? Far from it. They made no such recommendation at all. Their recommendation was utterly different. They stated—

> "Under these circumstances, it will be for Her Majesty's Government to determine whether trial by jury should not, for a limited time, within a limited area, and in regard to crimes of a well-defined character, be replaced by some form of trial less liable to abuse."

The crimes of a well-defined character, of which their Lordships spoke, were limited to that class of crime which bore relation to the three categories he had pointed out. In the general and sweeping character of the provisions proposed to be enacted under the Bill, the Government were proceeding, not in accordance with, but, as he respectfully submitted to the Committee, entirely contrary to, the distinct suggestion made by the Lords' Committee. But, in addition to that, he was not going to weary the Committee by going through all the evidence, or contesting the accuracy of the summary to which he had already referred; but he must, in fairness, observe that anyone reading the evidence would see that many witnesses of great experience and knowledge considered any interference with the jury system uncalled for, and not required. As, for instance, Mr. Corcoran, the Clerk of the Crown for Queen's County, whose evidence would be found in the Report, stated that there had been no failure of justice in cases of murder in that county since the passing of Lord O'Hagan's Act. Then, again, Mr. Constantine Molloy, a barrister of considerable position and practice, both in the defence of criminals and prosecutions on behalf of the Crown, when asked a question by their Lordships as to whether there had been any very general failure of justice in respect to these murder cases, stated that he did not think there had been. He pointed out several cases in which there appeared to him to have not been complete justice done; but he added that, as they all knew, cases of this character occurred not only in Ireland, but in England. He (Mr. Martin) admitted that the evidence of Mr. Bolton, the Crown Solicitor for the County of Tipperary, alluded to by the right hon. and learned Gentleman the Attorney General for Ireland, was very strong; but on reading the instances he gave, not much weight was, he conceived, to be attached to his testimony, especially when confronted with that of the two gentlemen he had mentioned. It was also met by the evidence of Mr. Cecil Moore, who had been for a long time a practising solicitor, and who, to his knowledge, was a gentleman of ability and sound opinion. Mr. Moore did not think there had been any such failure. The proposal now made to the Committee was not to confine the clause to the category of offences specified by the Lords' Committee, but in every case of murder to take away from juries the jurisdiction they had heretofore possessed of pronouncing a verdict of "Guilty" or "Not Guilty," and of averting the power in a tribunal composed of three Judges. He thought that, in the course they were taking, the Government were proceeding, not merely with haste and precipitation, but even with injustice towards the great body of the people of Ireland. If there had been a failure such as that which had been described, it would be more appropriately met by the mode suggested by the Lords' Committee—namely, to establish another tribunal for dealing with the specified classes of cases in which it was ascertained that justice could not be obtained. He thought it would be much more reasonable and much more just, on the part of the Committee, if the jury system of Ireland were defective, to apply at once a remedy for the defects which existed in the system, instead of proposing the unconstitutional and exceptional modes proposed in the present Bill. He thought the Government were adopting what was really a wrong mode of arriving at that which every right-thinking man in Ireland was anxious to arrive at — namely, perfect security that crime should not go unpunished. The principle contained in the clause would aggravate and intensify the very mischief they wanted to remove. The mischief, unfortunately, in Ireland was that evidence was not forthcoming. And what were the Government doing? They were establishing an unpopular tribunal — one which had been condemned by the members who were to act. The tribunal would be discredited by, and held in odium by, the people. It would not command popular sympathy, and would wholly fail in the object the framers of the measure had in view. So far from inducing witnesses to come forward, they would prevent them coming forward to give evidence.

SIR GEORGE CAMPBELL said, he could understand the objection of the Irish Members to abolish trial by jury, although he did not agree with them. He could understand their desire to limit the new tribunal to the trial of agrarian offences; but that proposal had already been discussed and decided. He could also understand the views of hon. Members opposite in regard to the exemption of the crime of treason and treason-felony from the Bill, and he had voted against the proposal to exempt those crimes with some reluctance; but he could not understand the proposal to exempt murder from the clause, when it was well known that murder was the typical instance of the offences which had been committed with absolute impunity in Ireland. It was patent to everyone who had studied the history of Ireland during the last few years that murder was a crime which was now-a-days committed with absolute and positive impunity. There might be a few cases in which a murder which was not of a political or an agrarian character had been detected, and the murderers had been brought to justice; but when an agrarian or a political murder was committed in Ireland, for several years past it had gone unpunished. He was quite free to confess that the first and primary difficulty in regard to the punishment of these crimes was that the murderers had not been apprehended, and that evidence had not been brought against them; but, at the same time, it must be borne in mind that if at any time persons charged with murder were brought to trial, they must have a tribunal free to deal with them without fear and without prejudice. If there was any case in which the new tribunal should be allowed, it was that of murder in the present circumstances of Ireland. Hon. Members opposite had conducted the discussion upon this Bill, so far, with great fairness and moderation. Nothing could be more moderate or more reasonable than many of the arguments put forward by hon. Members opposite; but he must appeal to the hon. Member for the City of Cork (Mr. Parnell) whether, having, so far, acted fairly on this subject, and, at the same time, having spoken resolutely in defence of the rights of the Irish people, it was worth his while to continue the discussion with respect to this particular Amendment—an Amendment which had objectionable features beyond all others? The hon. Member would certainly not be supported on a division except by very few Members, and was not likely to receive any support at all from the Liberal side of the House.

MR. PARNELL said, he had not desired to continue the discussion, and if it had not been for the appearance of the hon. Member for Kirkcaldy (Sir George Campbell) in the arena, the Committee would probably have been going through the division at that moment. The speech of the hon. Member exemplified the waste of time he deprecated, and which so frequently arose in that House in consequence of certain hon. Members, who were in the habit of remaining out of the House when an Amendment was under discussion, coming in at the very close of the discussion, and giving their opinions upon the matter without having heard the reasons why the Amendment had been brought forward. He did not propose to state all the reasons which had induced him to make this proposition; and, in refusing to do so, he hoped the hon. Member would acquit him of any desire to be discourteous. He thought, however, that before the hon. Gentleman came into the House, he (Mr. Parnell) had made out a very strong case—a very convincing case, and a case which had not been answered in the slightest degree by any Member of the Government—against this portion of this particular sub-section. He thought they had made out an equally strong case with regard to convictions for murder as they had with regard to convictions for treason.

Question put.

The Committee *divided*:—Ayes 133; Noes 22: Majority 111.—(Div. List, No. 106.)

MR. HEALY said, before the hon. Member for Kilkenny (Mr. Marum) moved the Amendment standing in his name, he wished to propose the omission of the words "attempt to kill" in Sub-Section (C). The Government must be aware that Irish Members required some figures and particulars to show the necessity for including in this clause, which was do away with the right of trial by jury, the various offences specified in the Sub-Sections C, D, E, and F.

Irish Members were certainly not inclined to allow the Government to pass the Bill without challenge; and if the particulars asked for were not forthcoming the only conclusion at which they could arrive was that the Government had come before the House of Commons to ask for this Act without any reasons to justify it. In the first place, he wished to know how many attempts to kill there had been in the last two years; the number of convictions, the number of disagreements, the number of persons caught, and the number brought to trial? None of these particulars had been given, notwithstanding that the Bill stated with regard to all the offences named that trial by jury in Ireland had failed. Irish Members denied the truth of the proposition that trial by jury had failed; and, moreover, they did not admit that the tribunal to be erected was an impartial tribunal. In short, they traversed every one of the Government statements. They were now upon a most important portion of the measure, and he appealed to Her Majesty's Government to supply the information to which they were justly entitled before further progress was made. If the answer to that appeal were satisfactory, he should not feel it his duty to press the Committee to a division; but, in the meantime, he begged to move the omission of Sub-Section (C).

Amendment proposed, in page 1, line 19, leave out the words "attempt to kill."—(*Mr. Healy.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Sir WILLIAM HARCOURT said, the hon. Member for the City of Cork (Mr. Parnell) had argued with great force against the inclusion of treason and treason-felony in this Bill. The Amendment of the hon. Member for the omission of the sub-section relating to those offences had been discussed at great length, and decided by the Committee in a sense contrary to the view which he entertained. He had not, however, understood the hon. Member for the City of Cork to object generally to the suspension of trial by jury in Ireland; and he thought, from a Parliamentary point of view, it must be considered that that question had already been decided by the House. If that were so, he asked whether it was consistent with the view taken by the hon. Member for the City of Cork that each of the things contained in the following sub-sections should be fought on the same footing and in the same manner as the inclusion of treason and treason-felony in the Bill? He might be mistaken; but the impression on his mind was that the hon. Member for the City of Cork regarded these other offences as standing on a totally different footing from treason or treason-felony. The remaining offences were, generally speaking, offences against the person, with the exception of the last, which was incidentally against the person, and a very grave offence it was. This last was intended to be met by the sub-section relating to the firing into dwelling-houses. Now, he put it to the hon. Member for the City of Cork and his Friends whether it would not be a fair course to allow progress to be made with this clause of the Bill, inasmuch as the decision of the House had been taken on the necessity of suspending the action of trial by jury? He trusted the Amendment of the hon. Member for Wexford would not be pressed.

Mr. WARTON rose to Order. It appeared to him that the Amendment of the hon. Member for Kilkenny (Mr. Marum) had been passed over.

The CHAIRMAN said, he had called upon that hon. Member in the order in which the Amendments stood on the Paper; but the hon. Member was absent, and no response reached his ear. After that the hon. Member for Wexford rose and moved the Amendment now before the Committee.

Mr. WARTON suggested that the word "murder," which was a term known to the law, should be substituted for the word "kill."

Sir WILLIAM HARCOURT said, he was willing to adopt the suggestion of the hon. and learned Member for Bridport.

Mr. HEALY begged to remind the right hon. and learned Gentleman that the proposal he made was that before proceeding with the next four or five lines of the Bill, the Government should furnish some particulars of the crimes therein specified, so far as arrests, convictions, and acquittals were concerned.

Sir GEORGE CAMPBELL said, he had understood the right hon. and learned Gentleman the Home Secretary to accept the proposal of the hon. and learned Member for Bridport, to substitute the word "murder" for the word "kill."

THE CHAIRMAN pointed out that in that case the Amendment of the hon. Member for Wexford would require alteration.

SIR WILLIAM HARCOURT said, the Government had accepted the word "murder" in substitution of "kill." If, therefore, the hon. Member for Wexford intended to proceed with his Amendment, the wording should be altered so as to be consistent with the change in the sub-section.

MR. HEALY said, he had pressed the Government to consider whether they would lay on the Table of the House some figures as to the offences included in the various sub-sections of this clause. Irish Members declined, without further information, to assent to the decision of the House of Lords' Committee, which was held with closed doors, and whose Report was based upon evidence of an extraordinary character. The information he desired to have was this—how many cases had there been of aggravated offences against the person; how many convictions; how many acquittals, and how many men had been caught? The same in the case of arson. He had no wish to divide against the sub-section, if he could get at these facts; but he felt it his duty to press for them before the clause was further proceeded with. He also wished to know if the Government would include cases of horse-stealing in the Bill; because he could see no reason why juries should be excluded from the trial of minor offences any more than from the trial of those named in the clause? If the Government were in possession of the desired particulars, he trusted that the Return would be laid on the Table of the House.

MR. TREVELYAN said, as far as he was able, he was prepared to satisfy the hon. Member with regard to the particulars asked for. He held in his hand Returns for the last two years, which, however, were not extremely strong in details. But it must be remembered that what lay behind them was of great importance. It appeared that many cases had not been brought forward for trial, because the authorities had absolutely despaired of convictions being obtained. Accordingly, the crimes which appeared in the Return were those for which it was thought likely the juries would convict. Therefore, although the figures before him told a sad story, that story did not appear so bad as the reality. The crime which stood next to attempt to murder was that of firing at the person. In 1881, 20 crimes of that character were brought up for trial before juries; in 16 of these cases there were acquittals and in four convictions. In 1880, seven crimes of this nature were tried, the result being five acquittals and two convictions. The number of these crimes committed in 1881 was 66. In the case of aggravated assaults against persons, there was, undoubtedly, a considerable number of convictions; but it would be improper to found a conclusion upon the one case in which the convictions were proportionate to the offences committed. Of assaults endangering life, 17 were brought to trial in 1881, out of which there were 15 convictions and two acquittals. But he believed that most of those convictions were obtained at the Winter Assizes, of which so much had been heard in that House. In 1880 there were eight cases of such assaults brought to trial, the result being three convictions and five acquittals. The next offence in the Return was that of arson. For incendiary fires in 1881, 10 suspected criminals were brought to trial, of whom eight were acquitted and two convicted. In all, 356 crimes of this kind were committed. In 1880, 13 cases of incendiary fires were brought to trial, and there was an acquittal in each case. He now came to cases of attacks upon dwelling-houses, which, he supposed, were coincident with those of firing into dwelling-houses. Of these, in 1881 there were 14 trials, resulting in 11 acquittals and three convictions. In 1880, eight of these cases were brought to trial, and no convictions were obtained.

MR. HEALY said, he trusted there would be no objection to lay the Return asked for on the Table of the House, so that Irish Members might have the facts before them on Report. The statement of the right hon. Gentleman had caused him some amusement. The right hon. Gentleman had omitted to state the total number of agrarian crimes committed. But he said this information was necessary in order that the public might know what was the reason for the passing of this Coercion

Act. The right hon. Gentleman had said, in one case, that of arson, 356 crimes had been committed; but he added that only 10 people had been caught. Who, he asked, was to blame for that? Was it the juries or the police? Again, the right hon. Gentleman said there would be no evidence forthcoming until there was some assurance of conviction, to which he replied that there would be no evidence unless the police arrested the people who committed the crimes. There had never been a more flimsy attempt on the part of any Government to deprive the Irish people of their liberties. It could not be expected that juries could convict criminals until they had criminals to convict. They had arrived at the time for considering whether this Bill would be of any use at all; and he asked Her Majesty's Government if they really intended to proceed with it after the statement of the Chief Secretary to the Lord Lieutenant? The progress of the Bill, in his opinion, should be delayed until the production of the Return asked for; because it was idle to expect the House of Commons to proceed in the absence of information, notwithstanding the reason alleged by the right hon. Gentleman that the preparation of the Return would impose a little extra duty upon those busy gentlemen, the Crown Prosecutors. If the Government would not furnish the Return, it was only right that the English public should know why it was asked for. They had at last obtained the admission that in the case of 356 crimes of arson only 10 people had been caught; and that fact was in itself sufficient to show the flimsy nature of the Government allegations.

Sir WILLIAM HARCOURT said, the hon. Member for Wexford (Mr. Healy) complained that the Returns had not been presented to Parliament before this. Why, they had been before the House for months past. There was not a figure which the right hon. Gentleman the Chief Secretary for Ireland had referred to which had not been in the hands of the hon. Member who made the charge for months. He confessed he took a somewhat different view from the hon. Gentleman as to the reason why, out of the great number of offences committed, so few were brought to trial. If, for instance, they had 13 men brought to trial for arson, and the 13 men were all acquitted, what was the use of bringing the others who had committed that crime to trial? As the Chief Secretary had already stated, in some districts it was no use to bring people to trial at all; and that was the reason why, when such a large number of offences had been committed, so few had been brought to trial. Few had been brought to trial, and still fewer had been convicted.

Mr. HEALY said, the right hon. and learned Gentleman had said he asked for information which had long been on the Table. If that was the case, he would like to know how it was that in answer to a question he put on the subject, he was misled by one of the right hon. and learned Gentleman's own officials? He had asked the Attorney General for Ireland for specific information, and the right hon. and learned Gentleman replied that it would take months for the Crown Prosecutor to make it out. If the information was in possession of the Government, why could not the Attorney General for Ireland have given it when asked to do so?

The CHAIRMAN: Before any other hon. Members speak on this subject, I must draw attention to the irregularity of the discussion. The particular Amendment before the Committee is as to whether the words "attempt to kill" are to form part of the clause. I must ask hon. Gentlemen to confine themselves to the Question.

Mr. NEWDEGATE said, it had been suggested by an hon. and learned Friend of his (Mr. Warton) that the word "kill" should be omitted, and the word "murder" inserted. He wished to point out that there was great difficulty in procuring evidence in case of murder, and that the evidence to prove murder was far more extensive than the evidence to prove manslaughter. The word "kill" would include manslaughter. He suggested to Her Majesty's Government that if they inserted the word "murder" instead of "kill," they would entail the necessity of producing a much larger amount of evidence than would be necessary under the words as they now stood.

Mr. O'DONNELL said, he thought the hon. Member for North Warwickshire (Mr. Newdegate) need not be too apprehensive on the subject, because, under the new Bill, there would be always plenty of evidence forthcoming. A very important admission was made by the Chief Secretary a short time ago when he referred to the number of cases where the authorities, not having previously obtained as many convictions as they desired, took it upon themselves not to bring any more cases to trial; but to credit all the untried cases to the account of the failure of the jury system in Ireland. The Committee would be very much in the dark with regard to what had been going on in Ireland during the last two years, if it did not bear in mind that during that time all the officials, including a certain number of the Judges and most of the executive officials with all their dependents, had been carefully getting up a case for the abolition of trial by jury. The explanation why the police had been so slack, and why there had been so few arrests in proportion to the large number of offences committed, was to be found in the deliberative policy of the Executive in Ireland, who, desiring to discredit the whole of the existing system and to induce that state of mind in England, the results of which they saw at present, did not arrest, or, if they did arrest, did not bring to trial, being always able to state that they so acted knowing that no justice would be done. That was an important point, which they could not expect a Government prosecuting a Bill like the present to bring forward; very probably Her Majesty's Government did not know anything about this process in Ireland. During the reign of the late Chief Secretary for Ireland, it was admitted the Government knew nothing about what was going on in Ireland; and he (Mr. O'Donnell) was sure, when the new Chief Secretary had become acquainted with Ireland, he would recognize the justness of the claim made by the Irish Party. He would not detain the Committee more than a few minutes, while he pointed out that even in England there was a most extraordinary discrepancy between the number of crimes committed and the number of persons even returned for trial. In the Midland district the very respectable total of 7,523 indictable offences were committed in a given period. For these offences only 4,244 persons were arrested, leaving upwards of 3,000 crimes for which no arrests whatever were made. But only 3,227 persons were returned for trial. In one district alone of law-abiding England, there were thus 4,000 indictable offences for which no one was returned for trial. He would now take the Southern district, which included a large number of rural communities like Devonshire, true to Conservative traditions, and Kent and other primitive localities, and he found that there was a total of 6,039 indictable offences committed, and this in the heart of Conservatism. There were only 3,751 persons arrested, and for the 6,039 offences, only 2,708 persons were even returned for trial, leaving, again, thousands of indictable offences without a single person being even returned for trial on their account. If Ireland were the governor of England, and if the Irish Government found it suitable to its policy to bring in a Bill for the abolition of trial by jury in England, there would be an abundance of evidence, in the statistics he had just read, to make out as good a case as the Government were now making out for the abolition of trial by jury in Ireland.

THE CHAIRMAN: I must point out that trial by jury is not the Question before the Committee. The Question is whether "attempts to kill" shall stand part of the clause; and I must beg the hon. Member to keep closely to that subject.

MR. O'DONNELL said, the exact point, as the Chairman would perceive, was whether attempts to kill, which were indictable offences, ought to be tried by Judges or by juries, and that was the very thing he was referring to. If he was not allowed to refer either to indictable offences or to trial by jury, on a clause which provided for the abolition of trial by jury, with regard to indictable offences, he was entirely at a loss to understand in what manner the question could be discussed from an Irish or a National point of view.

THE CHAIRMAN: The Committee has already decided to give the Lord Lieutenant the power to appoint a Special Commission Court for the trial of certain offences, and the question of trial by jury is not at present before us. The Question is, whether "attempts to kill" shall be offences which are to be tried by the Commission of Judges.

MR. HEALY asked if they were not to discuss attempts to kill, in reference to trial by jury, could they discuss them abstractly with reference to the particular weapons used?

Mr. O'DONNELL said, he was arguing in favour of the omission of the indictable offences of attempts to kill from the sphere of jurisdiction of the Government nominees who were to be appointed instead of juries; he was arguing in favour of keeping these particular indictable offences within the sphere of trial by jury. That was distinctly legitimate, because the Amendment was that the words "or attempt to kill" be omitted. Omitted from what? Omitted from the scope and from the jurisdiction of these Government nominees, and retained within the sphere of trial by jury. He had every respect for the ruling of the Chairman; but he submitted he was perfectly in Order in arguing that the indictable offences of attempts to kill ought to be reserved for trial by jury. Surely they were in Order in moving the exemption of this or that particular kind of offence from the jurisdiction of the Government nominees. In support of his statement that there was no sufficient case made out by the Government for the abolition of trial by jury, with regard to the offences of attempts to kill, he quoted the enormous number of indictable offences in England for which persons were not even returned for trial; and he argued that the Government could just as easily make out a case for the abolition of trial by jury for attempts to kill in England as in Ireland. An unjust, untenable, and tyrannical distinction was being drawn between England and Ireland; but, unfortunately, Ireland was subjected to the uncontrolled and despotic mastery of the English nation.

Mr. WARTON said, the hon. Member for North Warwickshire (Mr. Newdegate) had completely misapprehended the point. A man could not attempt to commit manslaughter; but he could attempt to commit murder.

The CHAIRMAN: I must explain to the Committee that it is not in my power to withdraw an Amendment in the possession of the Committee. Until the hon. Member for Wexford (Mr. Healy) asked leave to withdraw the Amendment, in order afterwards to propose that "murder" be substituted for "kill," I cannot put the Question in the form now desired until the Amendment be withdrawn.

Mr. T. D. SULLIVAN said, the statistics which had just been read to the Committee by the right hon. Gentleman the Chief Secretary convicted no one but the Irish police. The right hon. Gentleman had read statistics to show that a large number of crimes had been committed, or had been alleged to have been committed; that a small number of persons had been brought to trial for those offences; and that of that small number a still smaller number were convicted. What did all that prove? Take, for instance, the crime of arson. There were 356 crimes of this nature; only 10 persons were committed for trial, and two were convicted. Of the 356 crimes committed, there were 346 which the police were not able to touch at all. That 10 persons were brought to trial and only two convicted—what did that prove to him? That the police brought eight men to trial who never should have been brought to trial. The whole failure of justice rested with the police, and he did not wonder at it. The Irish police were warriors; they were trained as soldiers; their thoughts naturally ran on battles, sieges, sorties, cigars, and cognac. They were the sort of men who composed the Irish Police Force; and what wonder that crimes were undetected. No case had been made out by the figures of the Chief Secretary for Ireland against trial by jury; but a very strong case had been made out against the military organization of the Irish police.

Mr. H. SAMUELSON said, that, even in cases in which juries had convicted, hon. Gentlemen from Ireland had thrown every possible aspersion upon the fairness of the verdict. The hon. Gentleman who had just sat down told them that the statistics which had been placed before them by the Chief Secretary convicted no one but the Irish police. The hon. Member said that if a small number of offenders had been caught out of a very large number of criminals, and if a still smaller number of those brought to trial had been convicted, it showed that the Irish police system had broken down. He (Mr. H. Samuelson) thought a very different deduction was to be drawn from the figures. He had always been willing to vote with hon. Gentlemen from Ireland when he could do so consistently with his conscience; he voted with them in the first division, and he would vote with them now if they could prove that the Government was not right in asking Parliament to give them further power, because the jury system had broken down. Why was it that the criminals could not be caught? Why was it that the criminal in Ireland almost invariably managed to elude the police? Because he possessed the sympathy of his neighbours; because he was more popular with the persons amongst whom he resided than the officer of justice was. And these neighbours were the very persons who were now called to serve on the juries. Was it not reasonable to understand that the same reason which had caused the people not to give information as to the crime—information which they must be possessed of—would lead them not to convict a criminal when he was brought before them? It was the sympathy of the population with the criminal, rather than any inefficiency on the part of the police, which prevented the evidence necessary for the conviction of crime from being forthcoming. Hon. Gentlemen opposite only asked for further statistics; and if they had no stronger argument to advance than that the police system in Ireland had broken down, they might now allow progress to be made with the clause. They had been shown that the statistics had been in their possession for a long time past, and their only answer to that was that the Irish Law Officers had made a mistake in regard to them. Granted that that was so; they had got their statistics, and why argue the point longer? It was quite clear that so long as the criminal had the sympathies of the people, so long would it be difficult to secure fair and impartial trial.

THE CHAIRMAN: I may point to the speech we have just listened to to illustrate that the Committee have forgotten the point under discussion. The Question has no reference to the police or trial by jury, but is simply whether the words "attempt to kill" shall be omitted from the clause.

MR. H. SAMUELSON said, he had only followed the line of argument which the Chairman had permitted at the beginning. The Chief Secretary for Ireland presented certain statistics, upon which comments were made. Those statistics were applicable to the Question before the Committee. The Question was whether the offences of "attempts to kill" should be left in the jurisdiction of the juries, or taken out of the hands of juries and put into the hands of the Special Commission? Why were such offences to be taken out of the hands of juries and put into the hands of the Commission? Because of the failure of juries to convict, and of the police to obtain evidence.

MR. BRODRICK rose to Order. He wished to know whether the hon. Gentleman was in Order in making two speeches consecutively?

MR. MACFARLANE said, in reference to the statistics, he wished to ask one question. It was said that 356 crimes of a certain class had been committed, that 10 persons had been brought to trial, and that only two had been convicted; and that the Government, in despair at such a result, had not brought forward any other cases. He wanted to ask the right hon. and learned Gentleman the Home Secretary, if he meant to convey to the Committee that the police were in possession of the evidence in the remaining 346 cases, but that, despairing of convictions, they did not bring the cases to trial? If that was the case, the Government would have been justified in demanding a Bill of this kind at the time they made that discovery. They would have been not only justified in such a demand, but they would have been bound to make it. Perhaps the right hon. and learned Gentleman would say whether he had correctly interpreted the speech he made a few moments ago?

THE CHAIRMAN: The question of the hon. Member has no relation to the Amendment before us, but to another portion of the Bill. I must ask hon. Members to keep strictly to the point under consideration.

MR. MACFARLANE said, he referred to the statistics quoted by the right hon. Gentleman the Chief Secretary for Ireland.

MR. H. SAMUELSON said, he hoped the Chairman would give his ruling upon the point raised by the hon. Gentleman the Member for West Surrey (Mr. Brodrick), who had stopped him (Mr. H. Samuelson) in the remarks he was addressing to the Committee. The Chairman would, perhaps, kindly enlighten the hon. Member, who was new to the House, as to whether there was any restriction upon the number of speeches an hon. Member might make in Committee upon any given point?

THE CHAIRMAN: It is a well-known Rule that an hon. Member may speak more than once in Committee.

MR. HEALY said, the right hon. Gentleman the Chief Secretary had said there had been 66 cases of firing into dwellings; that 20 persons had been brought to trial and 16 had been acquitted. Did the Government mean to say that there were 46 cases of this nature which the Government did not think it desirable to bring to trial? The right hon. Gentleman had given a very different account of the statistics to that given by the Attorney General for Ireland. The right hon. Gentleman had said that the statistics had been before the House for months; but, surely, that could not be correct with regard to the year 1882. Would the Goverment give a Return in each of the nature he had asked for—namely, the number of crimes committed, the number of persons made amenable, the number of convictions, the number of acquittals, and the number of disagreements? He denied that the Returns were before the House in the shape he desired. It was the duty of the Government to put the figures before the House in a proper shape. The right hon. Gentleman could not expect that hon. Gentlemen, who had plenty of other things to do, could have all such facts at their fingers' ends. The Chief Secretary for Ireland had clerks whom he could direct to prepare the Returns now asked for. They were told by the Attorney General for Ireland that it would take months to make such a Return; but the Home Secretary told the Committee they were in possession of the facts already. He (Mr. Healy) did not blush to find himself as ignorant as the right hon. and learned Gentleman the Attorney General for Ireland.

MR. TREVELYAN said, he would admit the advantage of the Government in having experienced officials to assist them in their work; but the Returns from which he had quoted were extremely plain in their character. The number of convictions in respect of indictable offences was, in 1880, 13, and in 1881, 72. If the hon. Member would examine the statistics he would find that clearly shown.

MR. HEALY said, he would withdraw his Amendment, on the understanding that the Returns quoted by the Home Secretary would be produced; but if he did not find that the Returns bore out what the right hon. and learned Gentleman had stated in the sense in which they were asked for, he should put down a Motion for a further Return, which, no doubt, the Government would get one of their officials to block.

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 1, line 19, leave out "kill," and insert "murder."—(*Mr. Warton.*)

Question proposed, "That the word 'kill' stand part of the Clause."

SIR WILLIAM HARCOURT said, he would accept the Amendment.

Question put, and *negatived.*

MR. MARUM said, the Amendment he proposed did not involve any complication. It was merely a proposal that certain cases which would be tried under the direction of a stipendiary magistrate should be transferred to the jurisdiction of a Judge on the ground that the nature of the offence was such that it was desirable not to have it tried by an inferior tribunal, and especially a tribunal from which there would be no appeal, as was the case before he put this Amendment on the Paper. Since he did so, however, an indication had been given that the Government had under consideration whether they would give an appeal from the Courts of stipendiary magistrates. If the Government gave a satisfactory appeal that would make a great change in the views that prompted his Amendment. The offences which he wished to have transferred were those which related to unlawful associations. If unlawful associations merely meant secret societies he would not so very much mind; but unlawful associations might be taken to mean all political organizations, and that would be rather too large a matter to leave to the jurisdiction of an inferior tribunal. He, therefore, unless the Government were prepared to show that their Appeal Court would be one of weight, and would be capable of entering into the legal niceties that might be involved, should be disposed to persevere with his Amendment. He would not now enter into the question of the nature of an unlawful assembly, because that was a matter upon which there might be a great deal of discussion, and the hon. and learned Member for Dundalk (Mr. C. Russell) had an Amendment with relation to that subject which would involve considerable discussion. It was sufficient for his argument to say that the question of unlawful associations, and particularly political associations, was one of great importance and large character—too important to be placed before a minor tribunal such as that of a stipendiary magistrate, especially if there was no appeal. He hoped the Government would give some explanation of the Appeal Court they contemplated.

THE SOLICITOR GENERAL FOR IRELAND (Mr. PORTER) said, it was intended by the Government to take steps with regard to providing an appeal; but, of course, that could not be discussed at this part of the Bill; and he would suggest to the hon. Member that it would be better to postpone this Amendment until Clause 6 was reached. But under no circumstances could the Government accept the proposal for submitting cases of this kind to the tribunal now under consideration.

MR. MARUM said, he would accept the suggestion of the hon. and learned Gentleman, and postpone his Amendment.

MR. FIRTH, in moving, on behalf of the hon. Member for Herefordshire (Mr. Reid), to leave out the words "the Lord Lieutenant," and insert—

> "Any three Judges of the Supreme Court, on motion made by or on behalf of the Attorney General for Ireland,"

said, it would be within the recollection of the Committee that the hon. Member (Mr. Reid) had indicated the danger, as it appeared to him, of having the Lord Lieutenant both an Executive and judicial officer, and this Amendment went to the root of that question. If the Committee should think fit to accept the Amendment in this form, that would practically amount to a declaration that it was undesirable for the Lord Lieutenant to be a judicial officer. So long as he issued Commissions he was the Executive officer; but when he had to decide whether a particular case should be referred to this Commission or not he assumed the judicial authority. There was no provision as to how the Lord Lieutenant was to act; but he supposed the Lord Lieutenant would be informed by the ordinary sources of information in Ireland. But the Viceroy would not have the opportunity of testing the value of this source of information as a judicial functionary would have, and he would probably have to act on the information conveyed by the police, and to receive such information; and, without suggesting that that information was unreliable, he thought there was this to be said about it—that so far as would appear from the section as it now stood, those against whom the section would be worked would not have an opportunity of presenting their side of the case. In English jurisdiction there was a practice which furnished a close analogy to the course proposed by this Amendment. The 3rd section of Palmer's Act provided for the transfer to the Central Criminal Court of cases of felony or misdemeanour outside the jurisdiction of that Court, when any Judge or the Court of Queen's Bench considered it expedient that the persons accused should be tried in that Court. That Act provided for the decision of the judicial tribunal being brought to bear on the question; and the effect of this Amendment would be that the judgment of the judicial tribunal would be brought to bear on specific cases. If that were done, the three Judges would have to be persuaded that the particular case was one in which a fair trial could not be had. Affidavits would be presented giving the reasons for that conclusion, and upon the affidavits or other evidence from one side or the other the decision of the Judges would be given. He believed that would be an advantage in the present case, and it would have the essential advantage that it would separate the judicial and Executive functions, which it appeared dangerous to place in the hands of the same person. He should be sorry to delay by a single hour the introduction of remedial Irish measures; but it seemed to him that so far as that could modify this Act in the direction of making it in accordance with satisfactory precedents, and of persuading the Irish people that it was introduced to support law in that country, it was desirable to do so.

Amendment proposed,

> In page 1, line 23, leave out "the Lord Lieutenant," and insert "any three judges of the Supreme Court, on motion made by or on behalf

of the Attorney General for Ireland."—(*Mr. Firth.*)

Question proposed, "That the words 'the Lord Lieutenant' stand part of the Clause."

Sir WILLIAM HARCOURT said, that if he could agree with the hon. and learned Member that this Amendment would relieve the Lord Lieutenant of judicial functions, he would be prepared to assent to it; but he did not think the acts of the Lord Lieutenant would be judicial. A judicial act was the investigation of evidence, and the Lord Lieutenant was not called upon to do so. He considered that in deciding whether this special tribunal should be brought into action, the Lord Lieutenant would be exercising a function simply of constituting a tribunal, and the argument of the hon. Gentleman was, therefore, not well-founded that that would be an Executive and judicial function. After all, what was the determining circumstance which was to apply this tribunal to a particular case? It was the knowledge of the country where the offence had been committed, and that knowledge could only lie in the Executive Government. The Executive Government possessed the knowledge upon which the step that ought to be taken would depend, and it seemed to him that the action upon that knowledge should rest on the responsibility of the Executive, who would be called to account for their decision. If that knowledge was to be filtered through affidavits before a judicial tribunal, a great part of the responsibility, which ought to be kept in the Executive, would be lost. So far from increasing the responsibility of the Executive, the Amendment would diminish the responsibility; and if hon. Members would consider the circumstances which ought to determine the bringing of this tribunal into operation, they would see how exceedingly unfit these circumstances were for affidavits, and how impossible it would be to try these circumstances before a judicial tribunal. He hoped the hon. Member would not press the Amendment.

Sir GEORGE CAMPBELL said, that the Home Secretary had said the action of the Lord Lieutenant would be founded, not on the knowledge of a particular case, but on the knowledge of the particular district in which it appeared that a fair trial could not be had. He would venture to suggest that it would be much easier for the Government to say that the condition of a district was such that a fair trial could not be had, and that it would be difficult to throw on the Lord Lieutenant and other officers the task of picking and choosing the particular cases in a district. If the state of a district was such that a fair trial could not be had, that would apply to all cases; and it seemed to him that the argument used to throw on the Lord Lieutenant the duty of picking and choosing particular cases would be very invidious and very undesirable.

Mr. LEAMY said, with reference to the statement of the Home Secretary, that the knowledge required could only be with the Executive Government, and, therefore, the question of constituting this tribunal ought to be left to them to decide—that, as a matter of fact, motions were frequently made by the Attorney General for changing the venue in criminal cases, and those motions were made on affidavits that, owing to the state of the country, a fair trial could not be had. That being so under the present law, he did not see what difficulty there was in requiring that affidavits should be presented under this Bill. If the Bill was passed as it stood, it would be enough for the Lord Lieutenant to have a reasonable suspicion that a fair trial could not be had before a jury; the least that the House could do was to provide that a person to be deprived of the ordinary trial should have an opportunity of showing that there was no ground for his being so deprived. He should support the Amendment, because he thought the Bill gave too much power to the Lord Lieutenant in allowing him, without any sworn testimony or information, but simply on the suggestion of some person who might be personally hostile to the accused, to call this tribunal into existence.

Lord EDMOND FITZMAURICE said, what struck him with regard to this Amendment was, that it was totally inconsistent with the argument which had been used at the earlier stage of this clause, when line 11 was under consideration, and Amendments were moved, which were based on the great necessity of full publicity and the control of this House of the Irish Executive. He would ask any person who looked at the framework and object of this Bill, whether, if the Judges of the Supreme Court were substituted for the Lord Lieutenant, that would not be putting a judicial body in the place of the Executive, and thereby practically removing from the control of this House those very Acts which every Member of the House most clearly desired to keep well within the control of the House? He was astonished that an hon. Member of such great legal knowledge as the hon. Member for Herefordshire (Mr. Reid) should propose this Amendment; and as that hon. Member was absent, he regretted that another hon. Member should not have allowed this Amendment to remain covered by that discreet silence which others would have obtained by the absence of those hon. Members.

MR. BIGGAR said, he thought the noble Lord had entirely, though not intentionally, misrepresented the real purport of the Amendment. The noble Lord had referred to the desirability of having publicity with regard to cases tried before this tribunal; and that seemed to him to be the very object of an Amendment which proposed that three Judges in open Court should decide whether or not a particular case should be heard before a particular tribunal. An hon. Member had argued that the decision of the Court should be based on affidavits for and against the proposal; and that was the proposition of the Amendment—namely, to have cases decided upon evidence in open Court. The Bill proposed that the Lord Lieutenant should decide the question without evidence, or on the recommendation of some obscure person, and without giving any reasons for his decision; but it seemed to him that this Amendment was very much preferable, for if the decisions were to be come to in open Court, and the reasons were given, then the House could reasonably and fairly discuss the cases. As the Bill at present stood, some Member of the Government, representing the Lord Lieutenant, would say, if any questions were asked, that the Lord Lieutenant had come to his decision upon his own responsibility, and it was undesirable to state his information.

Question put, and *agreed to.*

Amendment proposed,

In page 1, line 23, after "Lieutenant," insert "upon sworn information which shall within ten days be communicated to Parliament, if Parliament be sitting, and, if Parliament be not sitting, which shall be published in the 'Dublin Gazette.'"—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

MR. TREVELYAN said, the Government had serious reasons for objecting to this Amendment. They believed that it would weaken the authority of the Lord Lieutenant, and at the same time produce a false impression on the public mind. The Lord Lieutenant would have to decide these very important questions upon a great mass of information which poured in upon him from all quarters. Nothing could be added to the effect of his decision after having received this information, by the mere fact that sworn information was put forward by some official or unofficial person. Before deciding to try a case by this special tribunal, the Lord Lieutenant would have to consult the Judges, who were his most authoritative and trusted advisers. He would have to receive and consider an immense quantity of facts and circumstances sent to Dublin from various quarters of the country; and it would be no further guarantee of the justice of his decision that he was obliged likewise to lay before Parliament the sworn information of some special Resident Magistrate or police-constable. He would form his judgment on the collected facts and circumstances, and if the sworn information was laid before Parliament, it would be but superficial. It must be remembered that the principle of the Lord Lieutenant making his decision was the same principle upon which he acted in proclaiming or not proclaiming a district. That power was largely used in this Bill, and upon that the Government laid very great stress, for they were very anxious to except from the provisions of this Bill those districts which, by the absence of outrage, were worthy of exception. The power of excepting districts rested with the Lord Lieutenant, and on the same principle he would exercise his judgment as to this special tribunal.

MR. T. D. SULLIVAN said, he wished to know what necessity there was for the Lord Lieutenant to have a great mass of evidence? What guarantee was there that he would not act upon the information of a single person? Matters were put before the Committee in this way: a view of the case was put forward which he and his Friends maintained would not represent the actual facts of the case when the law came to be administered. What obligation was there on the Lord Lieutenant to wait for any mass of information? What guarantee was there that a whisper from a magistrate or a police-constable would not suffice? There would be no such guarantee or obligation, and it was not fair to the Committee to deal with the matter in that way.

Mr. T. P. O'CONNOR said, that, speaking on behalf of the hon. Member for Wexford (Mr. Healy), he admitted the reasonableness of some of the objections advanced by the Chief Secretary for Ireland; but he would ask the right hon. Gentleman to consider the position of the clause as it at present stood. The great argument on the other side of the House in opposition to the Amendment immediately preceding this Amendment was, that it was desirable to have the Lord Lieutenant responsible to Parliament, and that it would weaken the responsibility if the decision was taken out of the hands of the Lord Lieutenant and given to the Judges. He accepted that argument; but how could the Lord Lieutenant be responsible to Parliament if he was not bound to lay some information before Parliament upon which his conduct could be discussed? That was no imaginary difficulty whatever. The Chief Secretary for Ireland next Session might have to defend some portion of the action of the Lord Lieutenant in reference to the trial of a particular person. Some hon. Members on that Bench might get up and ask the right hon. Gentleman the Chief Secretary why such and such a person had been put on his trial before a Judge without a jury? What would be the response? Why, that the Lord Lieutenant had acted upon information which it would be inconvenient and to the prejudice of Public Business to reveal to the House; so that under the Bill, as it at present stood, there would be nothing to prevent the right hon. Gentleman from taking refuge in silence under the plea of the interests of Public Business. He (Mr. T. P. O'Connor) was not responsible for the drawing up of the Amendment; and he quite agreed with the right hon. Gentleman as to the fairness of his objection, that it would be wrong to lay before Parliament, or to publish in the columns of *The Dublin Gazette*, the names of the persons giving information, as it would be exposing those persons to risks that they had every reason to ask the Government to protect them from. But suppose the Amendment were amended, the words "sworn information" could be retained, because it did not follow that the fact of giving the sworn information necessitated the publication of the names of the person or persons tendering it. If the right hon. Gentleman would take the Amendment in any other form, he should be glad to agree to its being re-framed. What he and his hon. Friend (Mr. Healy) wished to secure was, that when the Lord Lieutenant did a particular thing, there should be some *res justi* given for it, and that he should not, or his mouthpiece in this House should not, be able to take refuge in silence on the plea of Public Business.

Sir WILLIAM HARCOURT said, the exercise of the powers contained in the Bill might be confined to a particular district. The House was quite familiar, and had been for many years, with the practice of proclaiming particular districts; and when the Lord Lieutenant proclaimed a part of the country, he did it upon both the general and particular knowledge he had of that part. It had never yet been proposed that the sworn information he received should be laid before Parliament, and the grounds on which it was founded. It could not be done. His right hon. Friend had pointed out that the information the hon. Gentleman asked would necessarily be incomplete; and the hon. Gentleman himself had admitted that they could not give the names of the persons tendering information. But what would be the object of giving sworn information if they did not give the names of the persons who took the oath? To keep back the names—which could not be given—would deprive the information of all value; and, after all, they came round to this, that the whole matter must rest upon the responsibility of the Lord Lieutenant. The hon. Gentleman said—"But how are you to call the Lord

Lieutenant to account?" Well, if his memory served him, there had been many cases of late, in connection with the Protection of Life and Property Act, in which hon. Members on the Opposition Benches had challenged the grounds on which action had been taken by the Lord Lieutenant. They could always demand information, and to see any document of a general character to which the hon. Gentleman referred—they could always demand from the Government, who were responsible for the action of the Lord Lieutenant, the grounds, generally speaking, upon which he had availed himself of the powers of the Bill.

MR. JOSEPH COWEN said, the object of the Amendment was to elicit the grounds upon which a county was proclaimed. It would be remembered that when the county of Waterford was proclaimed last year, the hon. Member for Waterford (Mr. Leamy) had asked upon what grounds that course had been taken; and it had been pointed out that the Mayor of the city of Waterford and other magistrates in the district had declared themselves at a loss to know why the county had been proclaimed. There was no information given on that occasion; and the object of this Amendment was to secure that, upon similar occasions in the future, the required information should be forthcoming. Anyone who was familiar with the discussion that took place in this House years ago on a Coercion Bill—the Bill, he thought, of 1833 or 1834—would remember that Mr. O'Connell raised the same objection, and made the same proposal. In support of his demand that hon. Gentlemen had said that counties in Ireland had been proclaimed at the instance of a single individual to serve particular personal objects. Mr. O'Connell had attempted to insert in that Coercion Bill an Amendment of a like kind to the present; and, he believed, the hon. Member's wish was, to some extent, met by the Government of the day. There was no clause or Amendment inserted in the measure to carry out the suggestion; yet the Government undertook that, when a county was proclaimed, official information should be given as to the grounds upon which that course was adopted.

Question put, and *negatived.*

MR. T. P. O'CONNOR said, he now had to move another Amendment, standing in the name of his hon. Friend the Member for Wexford (Mr. Healy)—namely, to leave out the words "committed for trial," and insert "tried." The Committee would at once see what was the object of the Amendment, and that the Amendment to line 25, which was next on the Paper, was purely consequential—which latter Amendment he should not, of course, move until he knew the result of the discussion on the one he was now submitting. As the Committee would see, the whole case of the Government rested on the refusal of the juries to convict; but how could they say that a jury refused to convict until they had tried a case? He did not intend to re-hash the rather prolonged debate they had already had—a debate in which, so far as he could see, the Government had been compelled to take refuge in misleading statistics, or in silence, when meeting the arguments of his hon. Friend—but he wished to insist upon this, that if they were going to put a prisoner on his trial before Judges without a jury, they should not do so without full, ample, and complete reason; and they could not have that until they had first tried the ordinary law and found it to fail. The statements which had been made with reference to the last Amendment were the strongest arguments in favour of this proposal. The Lord Lieutenant, of his own motion or caprice, was to have the right of placing any man on his trial without a jury; and he (Mr. O'Connor) contended that it was a necessary limitation of responsibility on the part of the Lord Lieutenant that they should prove, in each particular case, before sending a prisoner for trial before the Judges, that trial by jury had broken down.

Amendment proposed, in page 1, line 24, leave out "committed for trial," and insert "tried."—(*Mr. T. P. O'Connor.*)

Question proposed, "That the words 'committed for trial' stand part of the Clause."

THE ATTORNEY GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, it would be impossible for the Government to accept the Amendment proposed. The suggestion was that each case should be submitted to a jury, and that when the jury had disagreed, then, for the first time, three Judges should be asked to decide the point upon which the jury had failed to come to a decision. This was founded on a statement of fact put forward by hon. Members, which, he presumed, it was now proposed to admit—namely, that, very largely at all events, the institution of trial by jury had broken down. It was quite impossible for the Government to accept the Amendment.

Mr. T. P. O'CONNOR said, he emphatically denied the statement that the right hon. and learned Gentleman had put into his mouth and into the mouths of his hon. Friends.

The ATTORNEY GENERAL for IRELAND (Mr. W. M. Johnson) said, he had not referred to every hon. Member, but to the majority of hon. Members.

Mr. T. P. O'CONNOR said, he did not think the majority of hon. Members agreed with the statement that trial by jury had broken down. If they had voted with the Government, it did not follow that they were convinced by the arguments of the Government. The right hon. and learned Member had said that the jury system had broken down. That was the whole question to be tested; and why should not the Government allow a prisoner a chance before a jury of his peers before they sent him before this special tribunal? He would tell the Committee the reason the right hon. and learned Gentleman did not do it; it was because he was afraid. The right hon. and learned Gentleman did not believe in the soundness of his own arguments, otherwise he would give a prisoner the chance of being tried by his countrymen.

Sir WILLIAM HARCOURT said, the hon. Gentleman had evidently not observed what would be the effect of this Amendment. It would entirely defeat one of the objects of the Bill, which was to provide for proper trial where juries acquitted against the weight of evidence. Where cases went before juries and acquittals were given, there would be no new trial; and the Bill only provided that there should be trial without a jury in cases where it appeared that a just and impartial trial could not be had according to the ordinary course of law. There had been cases of arson tried lately, in which there had been no convictions. Supposing such acquittals had been against the weight of evidence, in the future, in similar cases, the juries might, if they were so disposed, say—"In order to defeat the Bill, we will acquit."

Mr. PARNELL said, that hitherto the Government had rested their case on the ground that the juries disagreed, not that they acquitted against the weight of evidence. The statement that juries acquitted against the weight of evidence was now made for the first time in the discussions on the Bill in regard to the Irish Jury question. The right hon. and learned Gentleman, in order to prove the statement which he now made for the first time, assumed, for the sake of argument, that in certain cases of arson in Ireland juries had acquitted prisoners against the weight of evidence. This was the sort of case that Ministers of the Crown brought before the Committee for the purpose of inducing them to grant this extraordinary and unconstitutional enactment; this was the kind of argument upon which they were asked to give up all their rights and liberties, upon which they were asked to place their very lives in the hands of the Lord Lieutenant of Ireland. He must say he had expected that they would have had some facts, some figures, some statistics, brought before them to bear out the claim of the Government, not that they would have had such an extraordinary statement as this from the right hon. and learned Gentleman the Home Secretary.

Mr. HEALY said, he wished to point out that the Government shifted, from time to time, according to the necessities of the case. Last night, when discussing trial by jury, the argument of the right hon. and learned Gentleman the Home Secretary was—

> "Are you going to retain trial by jury in the Bill, when you know that one man, a fellow-assassin, or fellow-conspirator of the prisoner in the dock, it may be, is sufficient to cause the jury to disagree and to defeat the ends of justice?"

They, however, came to to-day; the kaleidoscope was twisted, and they got another view altogether. The Government now said, "Out of 12 men there is not one to be found who will convict." Was that so? If it were, then the whole fabric of British government in Ireland had broken down and was done for. Notwithstanding that the juries were packed by themselves, the Government could not depend upon one man out of 12 giving an opinion in favour of conviction—upon getting one man to uphold the view of the Crown. This was a startling admission on the part of the Home Secretary, that 700 years after his country had been trying to rule Ireland —although he brought it forward altogether in the teeth of his statement last night, which was, that the juries disagreed, some of them being of one opinion and some of another—the right hon. and learned Gentleman and his Friends, who yesterday were prepared to vote white black, and were now prepared to vote black white, were of opinion that not one man out of 12 could be trusted to give an honest verdict in support of the English Government. He had expected that the Government would accept the Amendment, and for this reason, that it did not make the matter one whit better for the prisoner. Every acquittal in Ireland was a fair one; and he did not think they could get 12 men to act more honestly between the prosecution and the prisoner in any country than in Ireland, not even in England, where there was so little regard for the oath—[" Oh, oh ! "]—he meant to say as compared with the regard for it in Ireland. Let them take, for instance, the case of Mr. Bradlaugh, that well-known Gentleman who was not, he believed, born in Ireland. Jury panels consisted of 300, 400, or 500 persons, and the Crown had an unlimited right of challenge, and yet, the Home Secretary said, out of 12 men selected from a panel, the Government could not get one to give them a verdict. Would the right hon. and learned Gentleman the Home Secretary get up and repeat that assertion ? No, he ventured to think that the right hon. and learned Gentleman would not have the hardihood to do that. The reason, as he said, why he had expected the Government to accept this Amendment was this, because, in the event of a disagreement on the part of the jury—which was certainly a most reasonable case to assume ; and the right hon. Gentleman had warned them not to select extreme cases, although, when it suited his own purpose, he did not shrink from doing it—the prisoner would be put in no better position, as he would then have to be tried by the Judges. But, whilst it would not put the prisoner into a better position, it would be a spur and an incitement to the Irish juries to do their duty. Of course, he was always supposing there was one man, at least, in the panel, in connection with which the Crown had an unlimited right of challenge. The Crown had not been so modest as to say, that with all their challenge power, they could not find one honest man in the country. No ; because they had hitherto been able to put 12 "Lion and Unicorn" men on the jury. The Attorney General for Ireland was not so green in, he would not say, jury-packing, but jury composing—he did not mean to say that the right hon. and learned Gentleman had directly had a hand in this kind of thing—and he would ask him to get up and say whether, with an unlimited right of challenge on the part of the Crown, and with such a dexterous manipulator as a Crown Prosecutor, or Clerk of Arraigns, he could not depend on getting one man, at least, on a jury in the interest of what was called law and order ? He (Mr. Healy) would venture to say that the right hon. and learned Gentleman would not be worthy of his place if he could not, at any rate, guarantee one man. Right hon. Gentlemen were willing to take up extreme cases when they told in their favour and against their opponents, and they were ready enough now to say that they could not accept an Amendment of this kind, because, if they did, prisoners would be certain to be acquitted. The truth was, that from first to last, the Government had had nothing else to rely upon but pretexts. It required Gentlemen of the extremest hardihood to defend the Bill. The Prime Minister, so far, had been silent, and he was to be congratulated upon the fact. The right hon. Gentleman was open to argument, as they had seen last year during the discussion of the Land Bill ; and if he had been in his place, a dozen times, at least, during the discussions on the present Bill, he would have been convinced that the weight of argument was against the Government. The right hon. Gentleman's Colleagues, however, unlike himself, would have the Bill, the whole Bill, and nothing but the Bill.

MR. BULWER said, he congratulated the hon. Member for Wexford (Mr. Healy) on being in a position to say that the Prime Minister was open to conviction, and that the right hon. Gentleman was ready to do the bidding of the Irish Party. He also congratulated right hon. and learned Gentlemen opposite upon the dexterity with which they had dealt with the eel-like arguments of hon. Gentlemen from Ireland. One would imagine, to listen to the observations of Irish Members, that they had all been asleep for the last two years, and that Ireland, instead of being what it was, was really a happy, contented, well-conducted country, and that the Government, in a fit of hallucination, had brought in a Bill to do away with their liberties, to deprive them of trial by jury, and all the rights they possessed. Everyone—save, perhaps, the Irish Members—admitted it was the condition of Ireland that justified the introduction of this exceptional measure. Let them see how the condition of Ireland had been dealt with. First of all, new powers were put into the hands of the Lord Lieutenant. There was a great outcry against that. Then trial by jury was to be done away with in certain cases at the pleasure of the Lord Lieutenant, trial by Judges—Government officials, as they had been called to-night —being substituted for it. In place of juries, they would have three Judges appointed to try whether——

Mr. T. P. O'CONNOR said, he rose to Order. The hon. and learned Member seemed to have been himself asleep for some time——

The CHAIRMAN: I must say I think the hon. and learned Member is not discussing the Amendment before the House.

Mr. BULWER said, he bowed at once to the right hon. Gentleman's ruling. He was not, strictly speaking, discussing the Amendment, but the arguments which had been offered in support of it. He had understood hon. Gentlemen from Ireland to say that they desired these three Government officials——

The CHAIRMAN: The Amendment is not about the three Judges, but that the word "tried" be substituted for the words "committed for trial."

Mr. HENEAGE said, it appeared to him that this Amendment was opposed to every provision and every principle of the Bill. It was opposed to every ground on which the measure had been brought forward, particularly to the main ground, which was that trial by jury had been a failure, and that it was absolutely necessary that some other kind of trial should be adopted in its place. The argument had been used that the Government now contended that not a single juryman could be found who would convict a prisoner. But what was the inducement that this Amendment, if adopted, would hold forth? They knew that, notwithstanding a sense of responsibility, the juries of Ireland, under the influence of terrorism, had refused to do their duty. ["No, no!"] Oh yes, they had. Now, all sense of responsibility would be taken away, whilst the fear of terrorism would remain. Would it not be quite possible for juries to agree to disagree? A jury would quite naturally say— "If the prisoner is innocent, by all means let us acquit him;" or, "If there is any doubt in his favour, by all means let us give him the benefit of it." Or they might say—"If the prisoner is really guilty, and the evidence is strong against him, let us agree to disagree, because then he will be brought up again before three Judges; he will be tried, and will probably be convicted, but the blame will not attach to us." What would be the moral, or rather the immoral, result of that? Why, the prisoner, in that way, would receive a sort of certificate of innocence before he came to be tried by the Judges. And what would be the result of the Judges convicting in the face of that certificate of innocence? The result would be that here, in this House, they would have hon. Gentlemen getting up and saying—"Is it not scandalous that such and such Judges have ventured to convict a man who has been found to be perfectly innocent by a jury of his fellow-countrymen?" This, he thought, would be most unfair on the Judges, who had quite enough onus thrown on them by the Bill as it at present stood. Do not let the Committee throw any more onus on them. He believed the Amendment to be utterly and entirely antagonistic to the whole scope of the Bill; therefore, he trusted the Government would not give way upon it.

Mr. BIGGAR said, that the hon. Gentleman who had just sat down said, in effect, that everyone put on his trial in Ireland should be convicted whether there was evidence against him or not. ["No, no!"] That was, practically, what the hon. Member's observations came to. They in Ireland contended that a very large proportion of the people put on their trial in that country were, in point of fact, not guilty at all; and they did not agree that trial by jury had broken down. They said that, in spite of the system of jury-packing which had hitherto prevailed in Ireland, there were very often some jurors who would listen to the evidence, and would exercise a sound judgment as to whether or not a certain class of witnesses who were brought forward on behalf of the Crown were entitled to be believed on their oaths or not. That was the real state of the case. The Government of Ireland had been carried on heretofore by the subornation of perjury. Witnesses had been prepared to give evidence against unfortunate prisoners; and, in point of fact, when a person was put on his trial in Ireland for a political offence, the general opinion was that he was probably not guilty of the charge brought against him. On the other hand, the advocates of British rule in Ireland always assumed that every person charged with an offence ought to be convicted, whether the evidence was trustworthy or not. He submitted that the Irish people had the soundest part of the argument, because it was notorious that in their country many innocent persons had not only been condemned, but executed, on charges which had been afterwards proved to be untenable. They knew that even in this country, where the evidence against prisoners was much stronger than it was in Ireland, persons who had afterwards been found to be innocent had been brought in guilty even of the charge of murder; and it was unfair that the assumption of guilt should be pressed as it was against persons in Ireland by the Government. He had heard it said that the High Sheriff of Cork, during the last Winter Assizes, had sat up all night in order to make arrangements for packing a jury to try cases on the following day. If the Government could not succeed in getting verdicts of "Guilty" when they had juries packed in this way by a High Sheriff who knew the district well, it might be said that the evidence given by their witnesses was altogether unworthy of credit.

MR. O'DONNELL said, it seemed to him that this Amendment really tested in the most vital way the contention of Her Majesty's Government as to the alleged failure of trial by jury in Ireland. If the Government were really serious and straightforward in their expressed wish only to make use of this abolition of trial by jury in extreme cases as a supplement to the ordinary law, then he could see no reason why they should not accept this Amendment. If a prisoner was brought up, and if the evidence adduced at his trial was clear and conclusive of his guilt, and if he was found guilty accordingly by a jury, then Her Majesty's Government were relieved from the odium of a very disagreeable piece of business—they were relieved from the odium of doing without a jury. On the other hand, if a man was brought before a jury on clear and conclusive evidence, and the jury openly and evidently refused to do its duty, then Her Majesty's Government would have the strongest possible excuse and the greatest exculpation which could be imagined for their recourse to three Government nominees instead of a jury. But Her Majesty's Government refused this test. They refused to give proof that recourse to three Government nominees must be had in consequence of the failure of the ordinary jury to do its duty. What must be the conclusion derived from that refusal on the part of the Government? Why, that they were more than doubtful of the strength of the case which they themselves brought forward. He should like also to call the attention of the Committee to the bearing of this Amendment on the text of the clause. The Clause said—

> "Whenever it appears to the Lord Lieutenant that in the case of any person committed for trial for any of the said offences a just and impartial trial cannot be had according to the ordinary course of law, the Lord Lieutenant might by warrant assign to any such court," &c.

He should like the Committee to consider the extraordinary capacity, the perfectly marvellous perspicuity—he might say power of prophecy—which the clause as it stood attributed to the Lord Lieutenant. He believed that the Lord Lieutenant, who was a Member of the Liberal Government, was in many respects an ordinary mortal, and that he was no more likely to be endowed with any considerable knowledge of the future than other persons. And there was another fact to bear in mind. By the time this Bill passed, the Lord Lieutenant would not have had more than a few weeks' knowledge of Ireland. Of course, the noble Earl had some experience of the country during his former tenure of Office; but the circumstances of the country were totally different in those days, so that, practically, all the experience the noble Earl would have had of Ireland, in order to enable him to make use of this Bill, would have been obtained in a few weeks. Was, then, the Committee to be asked seriously to declare that an English Nobleman, sent over to Ireland and resident there only a few weeks, was to be able at the expiration of those few weeks to say, with infallible certainty, that such and such a district—a district he had probably never even visited during his short period of Office, and the people of which, together with their manners and customs, he was entirely unacquainted—that such and such a district was a place where an impartial trial could not be had? The Amendment proposed by the hon. Member for Wexford would supply the necessary deficiency of even so infallible a person as a Liberal Lord Lieutenant. The Lord Lieutenant would be placed in the same position as every other person in the country. He would be able to see if the evidence was clear and conclusive; he would be able to judge whether or not the jury were going against the weight of evidence, and whether they had openly broken their oaths and failed to do their duty. Suppose, for instance, a gross murder case was tried, or a gross case of manslaughter, and there was an unjust acquittal, the Lord Lieutenant, if this Amendment were accepted, instead of being regarded as the hated instrument of a most arbitrary despotism, would be considered in Ireland as acting as a lover of justice in bringing before another tribunal the prisoner who had escaped through the malfeasance of the jury. But, instead of this, the Lord Lieutenant was to foretell that the jury would not return a true verdict, and on the strength of that baseless prophecy he was to provide that the prisoner should be tried before a Bench of Government nominees —or as the wits of Dublin, not being possessed of an adequate fear of Her Majesty's Government, had profanely described it, "a Hanging Committee of Judges." He could only regard the refusal of the Government to accept the Amendment as a simple admission of their intention to carry out this Bill as a Party measure. There could be no love of justice in a refusal to have a man tried by an ordinary jury before sending him to trial by a special tribunal. The whole theory of the Government was that the Bill was only required in consequence of the non-performance of duty by the regular tribunal; but his (Mr. O'Donnell's) contention was, that each case was a complete whole in itself. They were bound to bring each particular case before the ordinary tribunal, and only in case of notorious failure were they entitled to bring a prisoner before their tribunal of most extraordinary law. He did not think the attempts which had been made to advance the clause by volunteer supporters of the Government policy had been of much material assistance to Her Majesty's Ministers; and he looked upon the refusal of the Government to accept the Amendment as an absolutely incontrovertible proof that their real objects were different from their asserted objects. The conduct of the Government would only add another spur and stimulus to the resolution of the Irish nation to do all in their power to make this wretched Bill a failure.

LORD EDMOND FITZMAURICE said, it was a mystery to him what pleasure the hon. Member for Dungarvan (Mr. O'Donnell) and the hon. Member for Cavan (Mr. Biggar) could find in mixing up what they were pleased to call "British rule" and "English government" in Ireland in the consideration of such a question as that involved in this Amendment. Anyone, in listening to the hon. Members, would be justified in drawing this conclusion from their speeches—a conclusion he, for one, did not draw, but which a person might be justified in drawing—that, in their opinion, the people of Ireland, whom they claimed to represent, had a vested interest in the continuation of certain kinds of crime and of certain kinds of evils in Ireland. If a person were to draw this no doubt most unjust conclusion, no one would be to blame for it except hon. Members themselves. He believed that in this matter the hon. Gentlemen to whom he referred did not represent the people of Ireland; and he called the attention of the Committee to the conspicuous absence from the House of at least one half of those who claimed to be the Parliamentary and National Party of Ireland. Hon. Members opposite said they were "the people of Ireland." Well, he could only say to them, in the words of the long-suffering patriarch, Job—"No doubt ye are the people, and wisdom will perish with you." He did not deny that upon the face of them there appeared to be a certain amount of plausibility in the arguments for the Amendment. It sounded really like a demand for a new trial. But just let them consider what was the practice with regard to new trials. They were all familiar—["Question!"]—this was the question. He thought he was arguing most closely to it. What was done in new trials in civil cases—for, to all intents and purposes, new trials in criminal cases were not known to English law? The case of a new trial, where the jury disagreed, was a totally different thing from that proposed by the Amendment. It was a so-called new trial in a case where there had really been no trial at all. In criminal cases—in a case of felony, for instance—they all knew that when once there had been an acquittal there could not be a fresh trial. There was an attempt made not long ago to obtain a new trial in a case from one of our Colonies where there had been a conviction. The case came on for hearing on appeal; but it was decided that there should be no new trial. For all practical purposes in criminal cases new trials did not exist; but whenever a new trial had been proposed, it was where there had been a conviction. But what he understood hon. Members here to desire was that there should be new trials in cases where prisoners had been acquitted. The hon. Member for Great Grimsby (Mr. Heneage) had shown most unanswerably that the only result of accepting the Amendment would be to deprive juries of all responsibility, and place the Judges who subsequently would have to try the cases in a most unfair position. The jury would be able to gain all the popularity to be obtained by an acquittal, and the the whole of the odium of a conviction would fall on the unfortunate Judges. Considering these facts, and the unfair position in which all parties would be placed, he hoped the Amendment, which was altogether alien to the spirit of our law, would not be pressed. He very much regretted that hon. Members opposite seemed inclined to insist on it.

MR. LEAMY said, the noble Lord who had just sat down had said he could not understand how the hon. Member for Dungarvan (Mr. O'Donnell) and the hon. Member for Cavan (Mr. Biggar) could take pleasure in mixing up "British rule" with the Amendments proposed to be made in the Bill. He (Mr. Leamy) did not think his hon. Friends took pleasure in references to British rule; but, considering that it was a British rule backed by rifles and bayonets which was forcing this Bill down the throats of the people, it was not always easy to avoid referring to that rule when discussing the Amendments to the Bill. The noble Lord said, also, that the Irish Members talked as though the Irish people had a vested interest in crime. He (Mr. Leamy) rather thought it should appear that they believed, rightly or wrongly, that the people of Ireland had, or ought to have, a vested interest in trial by jury. The hon. Member for Great Grimsby had said that if the Amendment were accepted, they would find that men who were innocent would be acquitted. There would not be very much to complain of in that. And the hon. Member went on to say that juries would say, if there was a doubt in the question, the prisoner should have the benefit of it. Here, again, the juries would not be going against the law. But then the hon. Member went on to assume that the juries would agree to disagree. Probably the hon. Member thought assumption was quite sufficient for the House of Commons. He (Mr. Leamy) was not sure the hon. Member was not right in that; and that all it was necessary for the Government to do when they wanted to get a Coercion Bill for Ireland was to say that they "believed it to be necessary." The Committee had, over and over again, heard hon. Gentlemen sitting on the Conservative side of the House and sitting behind the Ministry say that they could not take it upon themselves to refuse a loyal support to the Government—the Government having stated, on their responsibility, that the policy they had adopted was necessary for the preservation of peace and order in Ireland. But the Government had said the same thing with regard to the Arrears Bill. Were English Members, Conservative as well as Liberal, inclined to accept that statement, and to give a "loyal support" to Her

Majesty's Ministers in the carriage of that measure? He thought not. He did not think the Irish Members would succeed in amending this Coercion Bill at all; nevertheless, he held it to be their imperative duty to make as good a stand as they could for the maintenance of trial by jury in Ireland. The measure, it was said, was to be in operation for three years; but they knew, from past experience, that when the Judges and the Executive became accustomed to their extraordinary powers they would be very slow to give them up. One Coercion Act had followed another until they had had something like 50 in Ireland in 80 years, some of these having become almost incorporated with the ordinary law. He knew the Irish Members were looked on as Obstructionists; but still they were obliged to fight the measure which even *The Times* had said contained "startling provisions," and which *The Daily Telegraph* said contained "detestable" provisions.

THE CHAIRMAN said, the hon. Member was not entitled to discuss the principle of the Bill.

MR. LEAMY said, the Amendment he was endeavouring to support was one which would give the Lord Lieutenant power, in case of an acquittal, to order a trial by Judges. That was as much as the Government should ask. If there had been any failure of justice owing to a want of independence of the jurors since the passing of Lord O'Hagan's Act, it was because men like the magistrates had not come into the jury-box. They considered it too great a bore, and would not mix with the class of farmers who were sent into the box. They it was who were calling out for the abolition of trial by jury. If the Amendment were adopted, he believed no criminal would escape under the Bill, and that in cases where the Lord Lieutenant found there was a dishonest refusal to convict, and he appointed Judges to try the prisoners, the public opinion of the locality would assuredly recognize that he had acted wisely, and according to instructions contained in the Act.

MR. HEALY said, a statement had been made by the noble Lord opposite which deserved some attention. The hon. Member had said that it would appear that the Irish people had a vested interest in the continuance of crime. It appeared to him (Mr. Healy), however, that it was the Government, and not the Irish people, who had a vested interest in crime in Ireland. The Government said that jurors were in such sympathy with assassins that they would not convict; but the Irish Members contended the reverse was the case, and that the Government were in such strong sympathy with the witnesses and prosecution that the evidence was tainted. Irish juries would convict prisoners, if proper evidence was brought before them. The noble Lord would see, on reflection, that his argument applied more to the Government than to the Irish people.

Question put.

The Committee *divided:*—Ayes 124; Noes 22: Majority 102.—(Div. List, No. 107.)

MR. T. P. O'CONNOR said, in the absence of his hon. Friend (Mr. R. Power), he proposed to move the Amendment next upon the Paper. It would be in the recollection of the Committee that in the course of the discussions on the Coercion Bill of last year, he had moved an Amendment of a similar character, to the effect that the Lord Lieutenant should publish the sworn information upon which he directed the trial without jury of certain prisoners, and that the right hon. Gentleman the then Chief Secretary, and the right hon. Gentleman the Secretary to the Home Department, had brought forward arguments of sufficient cogency against that Amendment. It would also be in the recollection of those right hon. Gentlemen that he had raised the objection that, although the Lord Lieutenant was responsible to Parliament, yet Parliament would have before it no means of obtaining the information necessary to discuss the action of the Lord Lieutenant. Now, he thought that in the Bill of last year there was a precedent for supplying the information asked for in this Amendment, because one of the provisions of that Bill was publication of warrants with a list of names of prisoners, together with the grounds on which they were detained in prison. That being so, he would not detain the Committee further than by expressing a hope that the Amendment he was about to move would receive the favourable consideration of the Government.

Amendment proposed,

In page 1, line 26, after "warrant," insert "and public proclamation, specifying the names of the prisoners and the offences for which they are to be tried."—(*Mr. T. P. O'Connor.*)

Question proposed, "That those words be there inserted."

SIR WILLIAM HARCOURT said, Her Majesty's Government were, of course, willing, with regard to the trial of persons under this Bill, that proper measures should be taken for bringing the matter into such a form as would enable it to be taken notice of in that House. They were, therefore, prepared substantially to accept the Amendment before the Committee—that was to say, they proposed that the warrant should be published in the official *Gazette*, instead of its being made known by public proclamation. To prevent confusion in drafting, he suggested that the hon. Member should withdraw his Amendment if he were satisfied with the assurance that it would be adopted in the form indicated.

Amendment, by leave, *withdrawn.*

MR. MARUM said, he wished to point out that the clause did not provide that the warrant should state the time at which the Special Commission Court should sit. Although the specification of the time was not so material a point as that raised by the Amendment next standing in his name, he regarded it as of importance to the person accused, and should feel it his duty to move, after the word "sitting," to insert the words "at the time specified and." Perhaps he might be permitted to refer, in connection with this subject, to the subsequent Amendment of his which sought to provide for the trial of prisoners in the county, or county of a city, as the case might be, in which the offence was committed. The object of that was to insure that prisoners should not be brought from one end of the country to the other for the purpose of trial, and that the Lord Lieutenant should be bound not merely to mention the trial in the warrant, but to specify the place where the trial should be had. The objection which had been so often urged in the case of jurors, that they were liable to intimidation, could not by any means apply here, because there were to be no jurors, and, consequently, there could be no fear of intimidation. As to the intimidation of Judges, the idea was not to be entertained for a moment, for although Judges might become unpopular in Ireland, they were not subjects of intimidation; and there was a well-known instance of a certain Judge who became unpopular in Ireland, but who, nevertheless, was accustomed to walk about without the smallest escort, never meeting with the least offensive behaviour on the part of the people. For these reasons he was quite unable to understand why the Government should not allow the Special Commission Court to sit at the place where the offence for which the prisoner was to be tried had been committed. The specification of the time of the sitting of the Special Commission Court was, of course, an important element, although, as he had before pointed out, it was not so material as having the trial at the place where the offence was committed. It had, however, more importance in connection with another Amendment with reference to time and place standing in his name at the foot of the page, and which he gathered from the statement of the right hon. Gentleman, in his reply to the hon. Member for Galway, was likely substantially to be accepted by Her Majesty's Government. If it were possible, he should wish to move the two former Amendments together; but as that would, perhaps, be inconvenient, he would for the present only propose the insertion of the words relating to the time at which the Special Commission Court should sit.

Amendment proposed, in page 1, line 28, after "sitting," insert "at the time specified and."—(*Mr. Marum.*)

Question proposed, "That those words be there inserted."

SIR WILLIAM HARCOURT said, although it would be the more regular course for him to deal only with the Amendment before the Committee, he might be allowed to say that in substance Her Majesty's Government were prepared to accept the Amendment of the hon. Member which stood at the foot of the page with reference to the notice to be given as to trial. Now, as regarded the present Amendment, the only object there could be in fixing the time, was to give persons interested proper notice before the trial came on, and that object they hoped to meet when they came to deal with the hon. Member's Amendment lower down. But he reminded the Committee that the practice both in England

and Ireland with reference to Special Commission Courts was to issue a Commission; the Judges then fixed the exact time at which the Court should sit, due care being taken that all parties should have proper notice. Her Majesty's Government undertook that this should be done in the present case, and, that being so, he trusted the hon. Member for Kilkenny would not insist upon the actual words of the Amendment before the Committee.

Mr. MARUM said, he should be disposed to withdraw this Amendment if he could have an assurance also with regard to the place at which the trial would be had. He must press the question of venue very strongly upon the Committee.

Amendment, by leave, *withdrawn.*

Mr. MARUM said, his next Amendment had reference to the place at which the trial was to be had. Under the clause as it stood there would be very great inconvenience and hardship caused to witnesses who had to travel long distances to the place of trial. It was only right that the expenses of these persons should be considered, and that principle was, to a certain extent, admitted in the 5th sub-section of the clause. But the expense of travelling 150 or 200 miles was too great to be paid for, in the first instance, by persons of the class likely to be affected by the provision for holding the trial at a different place from that at which the offence was committed. It would be a very bad thing indeed that a man's wife or a woman's husband should not be able to be present at the trial for want of means to travel to the place where the Special Commission Court was sitting. Again, when a man was on trial a great distance from his place of abode, without friends and without means, it was impossible that he should have the confidence which was necessary at such a time; and he felt sure that no man sitting in that House would wish to see any accused person so dispossessed. Therefore, he said, the trial should be had in the place where the offence was committed, according to the old principle of law. As he had already pointed out, no inconvenience could arise on the ground of intimidation, as alleged in the case of jurors. That argument could not be made to apply to the Judges, and, therefore, he could see no reason why the Government should refuse to have the trial in the place where the offence was committed.

Amendment proposed,

In page 1, line 29, after "warrant," insert "and which shall be situate in the county, or county of a city, as the case may be, in which the offence was committed."—(*Mr. Marum.*)

Question proposed, "That those words be there inserted."

Sir WILLIAM HARCOURT said, he agreed with the hon. Member opposite that, as a general rule, the argument was in favour of trying prisoners where their offences were committed. But that was not so in the present case; and although it was true that the intimidation which had taken place in the case of juries was not likely to operate in the case of the Judges, yet cases might arise in which a fair trial at the place where the offence was committed would not be possible on account of the intimidation of witnesses. He was sensible of the hardship in the case of witnesses of the kind pointed out by the hon. Member; and the Government were perfectly willing to meet that matter in a liberal spirit, and in a way that would do justice to prisoners in cases were the trial took place at a distance from their homes. There would be provisions to meet the inconveniences pointed out by the hon. Member; but the Government could not accept as an absolute rule that the trial should be had in the place where the offence was committed.

Mr. PARNELL said, he regretted that the right hon. and learned Gentleman the Home Secretary had not seen his way to accept the very reasonable Amendment of his hon. Friend. The change of venue inflicted enormous hardship both on prisoners and witnesses. He had himself seen a great deal of this at the Assizes last winter. Crowds of witnesses were brought to the various towns in which the Assizes were held; they were kept from their homes for weeks, and a very scanty allowance was made for their expenses, in some cases no allowance at all. It was, under any circumstances, a great hardship to take persons away from their own districts, and ought to be avoided, if possible. As to the proposed arrangement providing against the intimidation of witnesses, the argument was absurd, because, if they were to be intimidated, they could be intimidated just as well when they reached home again from the place where their evidence was given, as they could be when they gave their evidence on the spot. This was a very important Amendment, and Irish Members would have to insist upon it very strongly; and as that could not be done satisfactorily at that hour of the night, he begged to move that Progress be reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Parnell.*)

Mr. CALLAN said, he should feel it his duty to support the Amendment. He reminded the Committee of a case in which the lives of two innocent men were saved by the appearance of witnesses from the neighbourhood, who under the operation of this Bill could not have given their evidence in time. The case was one which showed the absolute necessity of having the trial at a place easily approached from that where the offence was committed.

Motion *agreed to.*

Committee report Progress; to sit again upon *Monday* next.

GOVERNMENT ANNUITIES AND ASSURANCE BILL.

On Motion of Mr. Fawcett, Bill to extend the Acts relating to the purchase of small Government Annuities, and to assuring payments of money on death, *ordered* to be brought in by Mr. Fawcett and Mr. Courtney.

Bill *presented,* and read the first time. [Bill 190.]

House adjourned at half after One o'clock till Monday next.

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LONDON: CORNELIUS BUCK, 22, PATERNOSTER ROW, E.C.

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TO

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VOLUME CCLXIX.

FOURTH VOLUME OF SESSION 1882.

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When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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Royal Military College, Woolwich—Professor Bloxam, Question, Observations, Lord Truro; Reply, The Earl of Morley; short debate thereon *May* 4, 67
The Autumn Manœuvres—The First Class Army Reserve, Question, Mr. Schreiber; Answer, Mr. Childers *May* 4, 98
The Committee on Musketry Instruction—The Evidence, Question, Observations, Viscount Hardinge; Reply, The Earl of Morley *May* 4, 65

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Army—*cont.*
The Royal Arsenal, Woolwich—Pay of Labourers, Question, Mr. Boord; Answer, Mr. Childers *May* 18, 953
Auxiliary and Reserve Forces
Questions, Mr. Dixon-Hartland, Mr. W. H. Smith; Answers, Mr. Childers *May* 22, 1261
Adjutants (*Brevet Majors*), Question, Colonel O'Beirne; Answer, Mr. Childers *May* 5, 225
The Irish Militia—Pay and Allowances, Question, Mr. Healy; Answer, Mr. Childers *May* 26, 1700
Volunteer Corps — Travelling Allowances, Question, Mr. Rankin; Answer, Sir Arthur Hayter *June* 2, 1933

Arnold, Mr. A., *Salford*
Allotments, 2R. 942
Ballot Act Continuance and Amendment, 2R. 372
Parliament—Business of the House, 1093
Post Office—Postal Communication (Aden and East Africa, &c.) Res. 250
Prevention of Crime (Ireland), Comm. 1630
Protection of Person and Property (Ireland) Act, 1881—Release of Prisoners under the Act, 104
Settled Land, 2R. 314

Arrears of Rent (*Ireland*) *Bill*
Question, Mr. Tottenham; Answer, Mr. Gladstone *May* 18, 957; Question, Mr. Thomasson; Answer, The Attorney General for Ireland *May* 25, 1596
Relief of Destitution, Question, Mr. Brodrick; Answer, Mr. Gladstone *May* 18, 956
Clause 1—Evidence, Questions, Mr. Villiers Stuart; Answers, The Attorney General for Ireland *June* 2, 1933

Arrears of Rent (Ireland) Bill
(*Mr. Gladstone, Mr. Secretary Childers, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*)
c. Motion for Leave (*Mr. Gladstone*) *May* 15, 767; after debate, Motion agreed to; Bill ordered; read 1°* [Bill 163]
Moved, "That the Bill be now read 2°" *May* 22, 1268
Amendt. to leave out from "That," and add "it is inexpedient to charge the Consolidated Fund with any payment, except by way of loan, in respect of arrears of rent in Ireland" (*Mr. Sclater-Booth*) *v.*; Question proposed, "That the words, &c.;" after long debate, Moved, "That the Debate be now adjourned" (*Baron Henry De Worms*); after further short debate, Question put; A. 140, N. 290; M. 150 (D. L. 92)
Original Question again proposed, 1353; Moved, "That this House do now adjourn" (*Mr. Chaplin*); after debate, Question put; A. 135, N. 272; M. 137 (D. L. 93)
Original Question again proposed, 1367; Moved, "That the Debate be now adjourned" (*Sir Herbert Maxwell*); after short debate, Question put, and agreed to; Debate adjourned

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Arrears of Rent (*Ireland*) *Bill*—cont.
Debate resumed *May* 23, 1420; after debate, Question put; A. 296, N. 181; M. 115 (D. L. 98)
Main Question put, "That the Bill be now read 2°;" A. 269, N. 157; M. 112
Div. List, A and N., 1445

Artillery Ranges Bill
(*Mr. Secretary Childers, The Judge Advocate General, Mr. Campbell-Bannerman, Mr. Trevelyan*)
c. Order for Committee discharged *May* 15, 802; Bill committed to a Select Committee of Seven Members, Four to be nominated by the House, and Three by the Committee of Selection
Select Committee nominated *May* 17; List of the Committee, 949
May 23, Mr. Acland *disch.*, Mr. Brown *added*
Report of Select Comm. *May* 25 [No. 206]
Committee * (*on re-comm.*); Report *June* 1
Considered * *June* 2 [Bill 183]

ASHLEY, Hon. E. M. (Secretary to the Board of Trade, afterwards Under Secretary of State for the Colonies†), *Isle of Wight*
†Africa (South)—Cetewayo, ex-King of Zululand—Future Position and Visit to England, 665

ASHMEAD-BARTLETT, Mr. E., *Eye*
Africa (South)—Transvaal—Boers and Native Tribes, 1935
Egypt (Political Affairs), 459, 461, 555, 556, 670, 1258, 1259, 1604, 1703, 1704, 1705, 1784, 1785, 1786, 1787;—Existing Crisis, 1723
Ireland, State of—Outrage near Foxford, 240
Rioting at Limerick, 1606, 1607

ATTORNEY GENERAL, The (Sir H. JAMES) *Taunton*
Capital Punishment, 2R. 395
Companies' Acts 1862 and 1867—Directors of Companies, 1941
Contumacious Clerks, 2R. Motion for Adjournment, 377
Corrupt Practices (Disfranchisement), 2R. 374
Judicature Act, 1875—New Rules of Procedure, 226
Parliament—Privilege—"Bradlaugh *v.* Erskine"—Service of a Writ on the Deputy Serjeant-at-Arms—Presentation of Papers, 244;—Consideration of Writ, &c. 337, 339
Parliamentary Elections (Corrupt and Illegal Practices), Comm. Motion for Adjournment, 375; *cl.* 1, 681, 683, 686, 688, 693, 696, 698, 702, 703, 704, 705, 706, 707, 708; Amendt. 709, 710, 711, 713; *cl.* 2, 714, 716; *cl.* 4, 718, 722, 723, 725, 726, 735, 737, 738, 740, 748, 751, 752, 753; *cl.* 5, 757, 760, 761; Amendt. 762, 765; Motion for reporting Progress, 767
Prevention of Crime (Ireland), Comm. *cl.* 1, 1976, 1981

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ATTORNEY GENERAL, The—*cont.*
Supreme Court of Judicature Acts Amendment, Comm. Motion for Adjournment, 1693, 1696

AYLMER, Captain J. E. F., *Maidstone*
Arrears of Rent (Ireland), Motion for Leave, 801; 2R. 1281, 1290
Ireland—Irish Policy of the Government, 236;—Release of Mr. Parnell and others, 832
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 1, Amendt. 707; *cl.* 4, 730, 745
Prevention of Crime (Ireland), Motion for Leave, 484

BALFOUR, Right Hon. J. B. (Lord Advocate for Scotland), *Clackmannan, &c.*
Criminal Law (Scotland) — Pollockshields Public School, 1399
Threatening Letters, 1088
Landlord and Tenant (Scotland)—Evictions in the Island of Skye—Crofters, 94, 271
Licensing Laws (Scotland), 2R. 443

BALFOUR, General Sir G., *Kincardineshire*
Arklow Harbour, Consid. 946
Railways (India)—Southern Maratta Railway Company, 1599

BALFOUR, Mr. A. J., *Hertford*
Arrears of Rent (Ireland), 2R. 1369, 1370
Egypt (Political Affairs), 1259, 1784, 1787
Ireland—Irish Policy of the Government—Release of Mr. Parnell and others, Motion for Adjournment, 834, 838;—Resignation of the Chief Secretary to the Lord Lieutenant, Personal Explanation, 161, 162
Metropolis Management and Building Acts Amendment, Comm. *cl.* 8, 639; *cl.* 9, 641, 642; Amendt. 646
Parliament—Business of the House, 1095
Parliament—Business of the House—Half-past Twelve o'clock Rule—Appointment of Standing Committees, Res. 349
Prevention of Crime (Ireland), Comm. *cl.* 1, 1951, 1984, 1985

Ballot Act Continuance and Amendment Bill (*Sir Charles W. Dilke, Secretary Sir William Harcourt, Mr. Chamberlain, Mr. Attorney General*)
c. Moved, "That the Bill be now read 2°" *May* 9, 362; Moved, "That the Debate be now adjourned" (*Mr. Gorst*); after debate, Motion withdrawn
Original Question again proposed; Question put, and agreed to; Bill read 2° [Bill 84]
Question, Mr. Ainsworth; Answer, Sir Charles W. Dilke *May* 18, 950

BARNE, Colonel F. St. J. N., *Suffolk, E.*
Allotments, 2R. 943

BARRY, Mr. J., *Wexford Co.*
Ireland—Prisoners under the Statute 34 Edward III. c. 1, 1710

BARTTELOT, Colonel Sir W. B., *Sussex, W.*
Allotments, 2R. 945
Army Estimates—Administration of Military Law, 602
Militia, Force of, &c. 614, 623
Ballot Act Continuance and Amendment, 2R. 373
Ireland—Miscellaneous Questions
Irish Policy of the Government, 236;—Resignation of the Chief Secretary to the Lord Lieutenant, Personal Explanation, 142, 143, 144;—Release of Mr. Parnell and others, 867, 870
Ireland, State of—"United Ireland" Newspaper—Seditious Language, 455
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 5, 763, 764

BAXTER, Right Hon. W. E., *Montrose, &c.*
Board Schools (Scotland), 2R. 13
India—Local Self-Government—Sir Ashley Eden's Minute, 95, 1787
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BEACH, Right Hon. Sir M. E. HICKS-*Gloucestershire, E.*
Ireland—Miscellaneous Questions
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BEAUCHAMP, Earl
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BELMORE, Earl of
Ireland—Landed Property—Return of Arrears of Rent, Withdrawal of Motion, 1086
Land Law (Ireland) Act, 1881—Irish Land Commission—"Fair Rents," 83
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BENTINCK, Right Hon. G. A. F. Cavendish, *Whitehaven*
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 1, 683, 701, 702; Amendt. 707; *cl.* 5, 761

BERESFORD, Mr. G. De La Poer, *Armagh*
Army Estimates—Militia, Force of, &c. 634
Inland Revenue—Succession Duty (Ireland), 1088
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BIGGAR, Mr. J. G., *Cavan Co.*
Army Estimates—Militia, Force of, &c. 630, 632, 633, 634

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BIGGAR, Mr. J. G.—*cont.*
Criminal Law (Scotland)—Threatening Letters, 1088
Ireland—Miscellaneous Questions
Crime—Return of Trials for Treason and Treason-Felony, 1533
Criminal Law—Mr. Philip Branigan, 955
Land Law Act, 1881—Rights of Turbary, 1092
Law and Justice—Belfast Magistracy, 828;—Mr. Lefroy, County Court Judge for Down, 1401, 1699
Law and Police—Bonfires, 554
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Protection of Person and Property Act, 1881—Fenix, Mr. W., and Mr. T. Brennan, 1533
Ireland—Grand Jury System, Res. 578
Landlord and Tenant (Scotland)—Evictions in the Island of Skye—The Crofters, 94
Municipal Corporations, Comm. *cl.* 9, Amendt. 200, 202, 203, 204; *cl.* 11, Amendt. *ib.*, 206; *cl.* 12, Amendt. *ib.*, 207, 208, 209; *cl.* 24, Amendt. *ib.*, 210; *cl.* 36, Amendt. *ib.*; *cl.* 46, Amendt. 211, 212, 213; *cl.* 47, Amendt. *ib.*, 214; *cl.* 50, Amendt. *ib.*; *cl.* 59, Amendt. 215, 216, 217; Motion for reporting Progress, *ib.*
Parliament—Public Business, 1790
Prevention of Crime (Ireland), Comm. *cl.* 1, 1758, 1770, 1847, 1848, 2006, 2015, 2016, 2053, 2064
Supply—Civil Services and Revenue Departments, Motion for reporting Progress, 1205, 1218, 1220
Report, 1388

BIRKBECK, Mr. E., *Norfolk, N.*
Fishing Vessels' Lights, Report of the Committee, 1606

BLAKE, Mr. J. A., *Waterford Co.*
Grand Jury System (Ireland), Res. 572
Poor Removal (Ireland) (No. 2), 2R. 927

Board Schools (Scotland) Bill
(*Sir Herbert Maxwell, Mr. Orr Ewing, Captain Maxwell*)
c. Moved, "That the Bill be now read 2°" *May* 3, 1
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Anderson*); Question proposed, "That 'now,' &c.;" after debate, Amendt. and Motion withdrawn; Bill withdrawn [Bill 49]

Boiler Explosions Bill (*Mr. Mason, Mr. Burt, Mr. Henry Lee, Mr. Broadhurst*)
c. Read 3° * *May* 9 [Bill 100]
l. Read 1ª * (*The Earl of Derby*) *May* 11 (No. 85)
Read 2ª, after short debate *May* 22, 1244

Boiler Explosions — The Explosion at Brierly Hill
Question, Mr. Hugh Mason; Answer, Sir William Harcourt *May* 4, 99

Boord, Mr. T. W., *Greenwich*
- Army — Royal Arsenal, Woolwich — Pay of Labourers, 953
- Metropolis Management and Building Acts Amendment, Comm. *cl.* 7, Amendt. 637, 638; *cl.* 8, Amendt. *ib.*; *cl.* 9, Amendt. 639, 642, 1058, 1059; *cl.* 10, 1061
- Spirits in Bond, 2R. 380

Borlase, Mr. W. C., *Cornwall, E.*
- Navy—Carpenters' Mates—Promotion, 1610
- Prevention of Crime (Ireland), Comm. 1587

Bourke, Right Hon. R., *Lynn Regis*
- Egypt (Political Affairs), 669, 1603, 1938, 1939

Brand, Right Hon. Sir H. B. W., (*see* Speaker, The)

Brand, Mr. H. R., *Stroud*
- Arrears of Rent (Ireland), 2R. 1320
- Prevention of Crime (Ireland), Comm. *cl.* 1, 1966, 1967, 1969

Braye, Lord
- Ordnance Survey, 219

Bright, Right Hon. J. (Chancellor of the Duchy of Lancaster), *Birmingham*
- Arrears of Rent (Ireland), 2R. 1444
- Contumacious Clerks, 2R. 377
- Prevention of Crime (Ireland), Motion for Leave, 480; Comm. 1563

Brise, Colonel S. B. Ruggles-, *Essex, E.*
- Post Office—Braintree Post Office, 87

Broadhurst, Mr. H., *Stoke-on-Trent*
- Allotments, 2R. 942
- Education Department—School Board Rates, 268
- Opening of National Museums, &c. on Sunday, Res. 1168
- Post Office—Parcels Post System, 87, 1254
- Prevention of Crime (Ireland), 2R. 1127

Brodrick, Hon. W. St. J. F., *Surrey, W.*
- Arrears of Rent (Ireland), 2R. 1316, 1366
- Ireland—Miscellaneous Questions
  - Arrears of Rent Bill—Relief of Destitution, 956, 957
  - Compensation to Families of Murdered Tenants, 1265, 1595
  - Irish Policy of the Government—Resignation of the Chief Secretary to the Lord Lieutenant, Personal Explanation, 141, 147
- Prevention of Crime (Ireland), Comm. *cl.* 1, 2046

Bruce, Sir H. H., *Coleraine*
- Grand Jury System (Ireland), Res. 567
- Poor Law Guardians (Ireland), Comm. Motion for Adjournment, 1398
- Poor Removal (Ireland) (No. 2), 2R. 897, 940

Bryce, Mr. J., *Tower Hamlets*
- Customs Re-organization—New Warehousing Scheme—Retired Clerks—Outdoor Department, 661
- Parliament—Business of the House—Half-past Twelve o'clock Rule—Appointment of Standing Committees, Res. 351
- Prevention of Crime (Ireland), 2R. 977; Comm. *cl.* 1, 1861, 1869

Buchanan, Mr. T. R., *Edinburgh*
- Board Schools (Scotland), 2R. 22
- Judgments (Inferior Courts), Consid. 527
- Licensing Laws (Scotland), 2R. 442
- Supreme Court of Judicature Acts Amendment, Comm. 1696

Bulwer, Mr. J. R., *Cambridgeshire*
- Arrears of Rent (Ireland), 2R. 1363
- Land Law (Ireland) Act, 1881—Free Sale Clause, 305
- Municipal Corporations, Comm. *cl.* 163, Amendt. 356, 357
- Prevention of Crime (Ireland), Comm. 1469; *cl.* 1, 1762, 1767, 1959, 1997, 2062, 2063

Burt, Mr. T., *Morpeth*
- Coal Mines—Colliery Explosions at Bruntcliffe and Baxterly, 228
- Opening of National Museums, &c. on Sunday, Res. 1152

Butt, Mr. C. P., *Southampton*
- Supreme Court of Judicature Acts Amendment, Comm. 1590

Buxton, Mr. F. W., *Andover*
- Mexico—Diplomatic Relations, 1611
- Post Office—Postal Communication (Aden and East Africa, &c.), Res. 260
- Prevention of Crime (Ireland), Comm. *cl.* 1, 1903, 1904, 1905

Caine, Mr. W. S., *Scarborough*
- Opening of National Museums, &c. on Sunday, Res. Amendt. 1165

Cairns, Earl
- Imprisonment for Contumacy, 2R. 811
- Judicature Act, 1876—Appellate Court, 448
- Railways (Continuous Brakes), Comm. 1237

Callan, Mr. P., *Louth*
- Ireland—Arrests in Co. Louth, 953
  - Criminal Law—Mr. P. Branigan, 954
- Navy—Commanding Officers' Families, 1260
- Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 1, 693; *cl.* 4, 751, 752
- Prevention of Crime (Ireland), Motion for Leave, 525; 2R. 1143; Comm. 1689, 1690, 1691; *cl.* 1, 1810, 1817, 2077
- Prevention of Crime (Ireland) [Allowances and Expenses], Comm. 1506
- Supply—Civil Services and Revenue Departments, 1222, 1223

Cambridge, Duke of (Field Marshal Commanding-in-Chief)
  Army—Royal Military College, Woolwich—Professor Bloxam, 73

Cameron, Dr. C., *Glasgow*
  Criminal Law (Scotland) — Pollockshields Public School, 1399
  Landlord and Tenant (Scotland)—Evictions in the Island of Skye—Trial of the Rioters, 227
  Licensing Laws (Scotland), 2R. 435

Campbell, Lord Colin, *Argyll*
  Board Schools (Scotland), 2R. 19, 45
  Licensing Laws (Scotland), 2R. 400, 413, 445

Campbell, Sir G., *Kirkcaldy, &c.*
  Board Schools (Scotland), 2R. 31
  Capital Punishment, 2R. 389
  Egypt (Political Affairs), 1937;—Fleet at Alexandria, 1616
  Parliament—Derby Day, Amendt. 1413, 1415, 1417
    Public Business, 1790
  Parliament—Business of the House—Half-past Twelve o'clock Rule—Appointment of Standing Committees, Res. 350
  Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 5, 764
  Prevention of Crime (Ireland), Comm. *cl.* 1, 1808, 1820, 2033, 2051, 2056
  Railways (India)—Southern Maratta Railway Company, 1596

Campbell, Mr. J. A., *Glasgow, &c. Universities*
  Board Schools (Scotland), 2R. 29

Campbell-Bannerman, Mr. H. (Secretary to the Admiralty), *Stirling, &c.*
  Navy—Miscellaneous Questions
    Carpenters' Mates—Promotion, 1610
    Channel Squadron, 955
    Commanding Officers' Families, 1261
    H.M.S. "Inflexible," 1266, 1599
    Marine Officers, Reports of, 1252
    Naval Artillery—Writers, 1605
    State of the Ironclads, 1090
  Navy Estimates, 665, 666

Camperdown, Earl of
  East and West India Dock Extension, Report, 1931
  Universities of Oxford and Cambridge Act, 1877 (Lincoln College Statutes), Motion for an Address, 535

Canal Boats Act (1877) Amendment Bill [h.l.] (*The Earl Stanhope*)
l. Presented; read 1ª* *May* 11 (No. 90)

Canterbury, Archbishop of
  Imprisonment for Contumacy, 2R. 806
  Salvation Army, Motion for an Address, 823
  Straits Settlements, Address for Papers, 553
  Universities of Oxford and Cambridge Act, 1877 (Lincoln College Statutes), Motion for an Address, 537

Capital Punishment Bill
(*Mr. Arthur Pease, Mr. Joseph Pease, Dr. Cameron, Mr. Justin M'Carthy*)
c. Read 2º, after debate *May* 10, 382 [Bill 55]

Carbutt, Mr. E. H., *Monmouth, &c.*
  Ways and Means—Inland Revenue—Carriage Duties, 1612

Carlingford, Lord (Lord Privy Seal)
  Elementary Education, Res. 1075
  Ireland—Irish Policy of the Government—Release of Mr. Parnell and others, 1067
    State of—Assassination of Lord Frederick Cavendish and Mr. Burke, Motion for Adjournment, 319
  Land Law (Ireland) Act, 1881—Irish Land Commission—"Fair Rents," 79, 82

Carlisle, Bishop of
  Elementary Education, Res. 1082
  Pluralities Acts Amendment, Comm. *cl.* 2, 1229; *add. cl.* 1231
  Universities of Oxford and Cambridge Act, 1877 (Lincoln College Statutes), Motion for an Address, 545

Carnarvon, Earl of
  Straits Settlements, Address for Papers, 552
  Union of Benefices (London), 2R. 330; Comm. 1225; *cl.* 6, Amendt. 1227; *cl.* 9, Amendt. *ib.* 1228

Carrington, Lord
  County Boundaries, Motion for an Address, 654
  Highway Acts—Local Self-Government, 448

Cartwright, Mr. W. C., *Oxfordshire*
  Arrears of Rent (Ireland), 2R. 1312
  Ireland—Irish Policy of the Government—Resignation of the Chief Secretary to the Lord Lieutenant, Personal Explanation, 165
  Prevention of Crime (Ireland), Comm. *cl.* 1, 1884, 1885

Cathedral Statutes Amendment Bill [h.l.]
(*The Lord Archbishop of Canterbury*)
l. Presented; read 1ª* *May* 19 (No. 99)

Cavendish, Lord Frederick, and Mr. Burke, Assassination of
  Moved, "That this House do now adjourn" (*The Earl Granville*) *May* 8, 315; after short debate, Motion agreed to
  Moved, "That this House do now adjourn" (*Mr. Gladstone*) *May* 8, 320; after short debate, Motion agreed to
  Funeral of the late Lord Frederick Cavendish—Attendance of Members of this House, Motion made, and Question, "That this House, at its rising this day, do adjourn till To-morrow, at Nine o'clock in the Evening" (*Lord Richard Grosvenor*) put, and agreed to *May* 10
  The Assassinations in the Phœnix Park, Question, Mr. Macfarlane; Answer, The Attorney General for Ireland *May* 12, 559

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Cavendish, Lord Frederick, and Mr. Burke, Assassination of—cont.
Assassination of Mr. Burke, the late Under Secretary, Question, Sir Michael Hicks-Beach; Answer, Mr. Gladstone *May* 12, 557;—*Pension to Miss Burke*, Question, Observations, Lord Oranmore and Browne; Reply, Earl Granville *May* 16, 824

The Assassinations in Phœnix Park, Dublin—The Special Police Patrols, Questions, Mr. Redmond, Mr. Healy; Answers, Mr. Trevelyan *May* 25, 1602;—*Captain Talbot, Chief of the Metropolitan Police, Dublin*, Questions, Mr. Healy, Mr. Redmond; Answers, Mr. Trevelyan; Question, Mr. O'Kelly; [No answer] *May* 26, 1708

CECIL, Lord E. H. B. G., *Essex, W.*
Army (India)—Second Lieutenant Colonels in India, 678

CHAMBERLAIN, Right Hon. J. (President of the Board of Trade), *Birmingham*
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Fishing Vessels' Lights, Report of the Committee, 1606
Ireland—Irish Policy of the Government—Release of Mr. Parnell and others, 871
Mercantile Marine—Crews of Merchant Ships—International Consular Treaty, 1595
Merchant Shipping Acts (Emigrant Ships)—Detention Money, 1087
Navy—Island of Cyprus—Larnaca Inquiry, 1606
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CHANCELLOR, The LORD (LORD SELBORNE)
Imprisonment for Contumacy, 2R. 812
Judicature Act, 1876—Appellate Court, 450
Universities of Oxford and Cambridge Act, 1877 (Lincoln College Statutes), Motion for an Address, 538

Channel Tunnel Scheme, The—England and France
Question, Mr. Redmond; Answer, Mr. Childers *May* 15, 671

CHAPLIN, Mr. H., *Lincolnshire, Mid*
Arrears of Rent (Ireland), 2R. Motion for Adjournment, 1353, 1375, 1376
Ireland—Irish Policy of the Government, 234;—Resignation of the Chief Secretary to the Lord Lieutenant, Personal Explanation, 166;—Resignation of the Lord Lieutenant and Chief Secretary, Personal Explanation, 1532, 1533
Parliament—Business of the House, 558
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Prevention of Crime (Ireland), Motion for Leave, 475, 476, 477, 480

CHILDERS, Right Hon. H. C. E. (Secretary of State for War), *Pontefract*
Army—Miscellaneous Questions
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Chelsea Hospital—Pensions, 1265
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Army (Auxiliary Forces)—Brevet Majors, 225
Irish Militia—Pay and Allowances, 1700
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Militia, Force of, &c., 616, 628, 629, 632, 633, 634
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Protection of Person and Property (Ireland) Act, 1881—Captain Dugmore, 665
Supply—Civil Services and Revenue Departments, 1207, 1208, 1209, 1216, 1222, 1224
Vagrancy (England and Wales), 585

Church Patronage Bill [Bill 53]
(*Mr. Stanhope, Mr. J. G. Talbot, Mr. Stuart-Wortley, Mr. Stanley Leighton*)
c. Moved, "That the Bill be now read 2°" *May* 3, 47
Amendt. to leave out from "That," and add "this House, while prepared to abolish all traffic in sacred offices in the National Church, objects to a measure which gives fresh sanction to the sale of advowsons, and would fail to put an end to the scandals of the existing system of patronage" (*Mr. Illingworth*); Question proposed, "That the words, &c.;" after short debate, Debate adjourned

CLARKE, Mr. E. G., *Plymouth*
Ireland—Irish Policy of the Government—Release of Mr. Parnell and others, 884
Prevention of Crime (Ireland), Comm. 1564

Coal Mines—Colliery Explosions at Bruntcliffe and Baxterly
Question, Mr. Burt; Answer, Sir William Harcourt *May* 5, 228

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Cohen, Mr. A., *Southwark*
Prevention of Crime (Ireland), Comm. 1575

Colebrooke, Sir T. E., *Lanarkshire, N.*
Board Schools (Scotland), 2R. 27
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Coleridge, Lord
Judicature Act, 1876—Appellate Court, 453
Salvation Army, Motion for an Address, 821
Universities of Oxford and Cambridge Act, 1877 (Lincoln College Statutes), Motion for an Address, 544

Collings, Mr. J., *Ipswich*
Allotments, 2R. 941
Opening of National Museums, &c. on Sunday, Res. 1172
Parliament—Derby Day, 1414
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 1, 695, 711
Prevention of Crime (Ireland), Comm. 1657

Collins, Mr. T., *Knaresborough*
Ballot Act Continuance and Amendment, 2R. 365
Board Schools (Scotland), 2R. 45
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Education Department—School Board Rates, 297
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Colthurst, Col. D. La Zouche, *Cork Co.*
Army Estimates—Administration of Military Law, 603
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Poor Removal (Ireland) (No. 2), 2R. 912
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Colville of Culross, Lord
Railways (Continuous Brakes), Comm. Previous Question moved, 1231

Commins, Dr. A., *Roscommon*
Parliament—Derby Day, 1419
Prevention of Crime (Ireland), Comm. 1588; *cl.* 1, 1764
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Supply, Report, 1389

Commonable Rights Bill
(*The Lord Mount-Temple*)
l. Read 2ª * *May* 12 (No. 73)
Committee * *May* 15
Report * *May* 19 (No. 100)
Read 3ª * *May* 22

Commons Regulation Provisional Orders Bill (*Mr. Hibbert, Mr. Dodson, Secretary Sir William Harcourt*)
c. Report * *May* 9 [Bill 117]
Read 3° * *May* 10
l. Read 1ª * (*Lord Rosebery*) *May* 11 (No. 88)
Read 2ª * *May* 19
Committee *; Report *May* 22
Read 3ª * *June* 1

Companies' Acts, 1862 & 1867—Directors of Companies
Question, Mr. P. Martin; Answer, The Attorney General *June* 2, 1940

Consolidated Fund (No. 3) Bill
(*Mr. Playfair, Mr. Chancellor of the Exchequer, Sir Arthur Hayter*)
c. Resolutions in Committee * *May* 4
Resolutions reported, and agreed to; Bill ordered * *May* 5
Read 1° * *May* 8
Read 2° * *May* 9
Committee *; Report *May* 10
Read 3° * *May* 11
l. Read 1ª * (*Earl Granville*) *May* 12
Read 2ª *; Committee negatived *May* 15
Read 3ª * *May* 16
Royal Assent *May* 19 [45 *Vict.* c. 8]

Contagious Diseases (Animals) Acts
Dairies, &c. Order, 1879—*Milk*, Question, Lord George Hamilton; Answer, Mr. Mundella *May* 22, 1249
Foot-and-Mouth Disease, Question, Mr. Dawnay; Answer, Mr. Mundella *May* 11, 458

Contumacious Clerks Bill [Bill 41]
(*Mr. Lloyd, Baron De Ferrieres, Mr. Hussey Vivian, Sir Thomas Chambers, Mr. Abel Smith, Mr. Greer, Mr. Cecil Forester*)
c. Moved, "That the Bill be now read 2°" *May* 9, 375
Amendt. to leave out from "That," and add "till the Royal Commission now sitting on Ecclesiastical Courts shall have reported, it is inexpedient to proceed with any Bill dealing with the discipline of the Clergy" (*Colonel Makins*) *v.*; Question proposed, "That the words, &c.;" Moved, "That the Debate be now adjourned" (*Mr. Attorney General*); after short debate, Question put, and agreed to; Debate adjourned

Conveyancing Bill [H.L.]
(*Mr. H. H. Fowler*)
c. Read 2°, and committed to a Select Committee, after short debate *May* 25, 1692 [Bill 121]

Coolie (Indian) Emigration to La Rèunion
Question, Mr. Cropper; Answer, The Marquess of Hartington *May* 23, 1400

Copyright—Legislation
Question, Sir H. Drummond Wolff; Answer, Mr. Chamberlain *May* 22, 1255

Copyright (Musical Compositions) Bill
(*Mr. Gorst, Mr. Arthur Balfour, Mr. Beresford Hope, Viscount Folkestone*)
c. Motion for Leave (*Mr. Gorst*) *May* 9, 354; Motion agreed to; Bill ordered *
Read 1° * *May* 12 [Bill 161]

Copyright (Works of Fine Art, &c.) Bill
(*Mr. Hastings, Viscount Sandon, Mr. Hanbury-Tracy, Sir Gabriel Goldney, Mr. Agnew*)
c. Read 2° * *May* 9 [Bill 119]
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *May* 17, 948; after short debate, Debate adjourned

Corbet, Mr. W. J., *Wicklow Co.*
Ireland—Miscellaneous Questions
Education—Teachers in Catholic Schools, 238
Land Law Act, 1881—Sub-Commissioners' Court in Wicklow, 827
Peace Preservation Act, 1881 — Gun Licences, Co. Wicklow, 826

Corrupt Practices (Disfranchisement) Bill (*Mr. Attorney General, Secretary Sir William Harcourt*)
c. 2R. deferred, after short debate *May* 9, 374

Cotton, Mr. W. J. R., *London*
Navy—Island of Cyprus — Larnaca Inquiry, 1606

County Boundaries
Moved, "That an humble Address be presented to Her Majesty praying Her Majesty to issue a Royal Commission to inquire into the best means of adjusting the boundaries of counties in England and Wales" (*The Earl Beauchamp*) *May* 15, 653; after short debate, Motion withdrawn

County Courts Act (1867) Amendment Bill (*Mr. Henry H. Fowler, Mr. Monk, Mr. Reid*)
c. Moved, "That the Bill be now read 2°" *May* 15, 803; after short debate, Moved, "That the Debate be now adjourned" (*Sir Henry Fletcher*); Motion agreed to; Debate adjourned

County Courts (Advocates' Costs) Bill
(*Mr. Hastings, Sir Eardley Wilmot, Mr. Staveley Hill, Mr. Rowley Hill*)
c. Ordered; read 1° * *June* 1 [Bill 188]

County Courts (Ireland) Bill
(*Mr. Findlater, Mr. Givan, Mr. Patrick Smyth, Mr. Thomas Dickson*)
c. Adjourned Debate on Question [15th March], "That the Bill be now read 2°" resumed *May* 4, 217; after short debate, Question put, and agreed to; Bill read 2° [Bill 18]
Order for Committee read *May* 15, 805
Ordered, That it be an Instruction to the Committee, that they have power to make provision for the extension of the Equity jurisdiction of the Courts (*Mr. Findlater*); Committee—R.P
Committee; Report *May* 18, 1052

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County Courts (Ireland) Bill—cont.
Order for Consideration, as amended, read *May* 22, 1396; after short debate, Moved, "That the Debate be now adjourned" (*Mr. Arthur O'Connor*); Motion agreed to; Consideration, as amended, deferred
Considered *May* 25, 1692
Read 3° * *May* 26
l. Read 1ª * (*Lord O'Hagan*) *June* 1 (No. 105)

Courtney, Mr. L. H. (Under Secretary of State for the Colonies, afterwards Financial Secretary to the Treasury †), *Liskeard*
†Africa (South)—Cetewayo, ex-King of Zululand—Visit to England, 1593, 1594
†Arklow Harbour, 3R. 1050
†Customs Re-organization—New Warehousing Scheme—Promotion, 676
†Retired Clerks—Outdoor Department, 661
Cyprus, Island of—New Constitution—Status of the Jews, 92
†Friendly Societies—Compulsory Audit, 950
†Irish Church Temporalities Commission (Financial Affairs), 1260, 1594
†Poor Law Guardians (Ireland), Comm. 1398
†Science and Art—The Orkney Sagas, 1407
†State-Aided Emigration, 226
†Supply—Civil Services and Revenue Departments, 1190, 1200, 1224

Courts of Justice, The New—The Temple Subway
Question, Mr. Mellor; Answer, Mr. Shaw Lefevre *May* 12, 556

Cowen, Mr. J., *Newcastle-on-Tyne*
Criminal Law—Michael Davitt, 1402
Egypt (Political Affairs) — Existing Crisis, 1721, 1787, 1937
Ireland—Prevention of Crime Bill—Suspension of Trial by Jury—The Judges, 1264
Release of the Convict Michael Davitt, 97
Prevention of Crime (Ireland), Motion for Leave, 520; Comm. Amendt. 1448; *cl.* 1, 1770, 1795, 1835, 1845, 1846, 1869, 1926, 1994, 2057

Cowper, Earl
Ireland, State of — Assassination of Lord Frederick Cavendish and Mr. Burke, Motion for Adjournment, 317

Cranbrook, Viscount
Army—Royal Military College, Woolwich—Professor Bloxam, 75
Pluralities Acts Amendment, 2R. 335
Universities of Oxford and Cambridge Act, 1877 (Lincoln College Statutes), Motion for an Address, 545

Creyke, Mr. R., *York*
Post Office—York Post Office, 98

Criminal Law
Miscellaneous Questions
Case of Hannah Dawes, Question, Mr. Hopwood; Answer, Sir William Harcourt *May* 25, 1608

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Criminal Law—*cont.*
Incitements to Murder, Question, Mr. Akers-Douglas; Answer, Sir William Harcourt *May* 26, 1710
Michael Davitt's Speech at Manchester, Questions, Mr. Gorst, Mr. Joseph Cowen; Answers, Sir William Harcourt *May* 23, 1401; Questions, Mr. Gorst, Mr. Parnell; Answers, Sir William Harcourt *May* 25, 1614; Question, Sir H. Drummond Wolff; Answer, Sir William Harcourt *May* 26, 1705

Cropper, Mr. J., *Kendal*
Allotments, 2R. 942
Capital Punishment, 2R. 386
Coolies (Indian)—Emigration to La Réunion, 1400
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Cross, Right Hon. Sir R. A., *Lancashire, S.W.*
Ballot Act Continuance and Amendment, 2R. 368, 369
Capital Punishment, 2R. 398
Contumacious Clerks, 2R. 376, 378
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Lord Frederick Cavendish, The late, Funeral of—Attendance of Members of this House, Motion for Adjournment, 381
Parliament—Miscellaneous Questions
  Business of the House—Morning Sittings, 1936
  Order of Business, 1789
  Whitsuntide Recess, 959
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Prevention of Crime (Ireland), Comm. 1676; *cl.* 1, 1908
Settled Land, 2R. 314
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Currie, Sir D., *Perthshire*
Post Office—Postal Communication (Aden and East Africa, &c.), Res. 258

Customs and Inland Revenue Bill, 1882—*Patent Mixtures of Coffee and Vegetable Matter*
Question, Mr. Redmond; Answer, The Chancellor of the Exchequer *May* 15, 671

Customs and Inland Revenue Buildings (Ireland) Bill
(*Mr. John Holms, Lord Richard Grosvenor*)
c. Ordered; read 1°* *May* 10 [Bill 156]
Read 2°* *May* 18

Customs Re-organization—The New Warehousing Scheme
Retired Clerks—The Outdoor Department, Question, Mr. Bryce; Answer, Mr. Courtney *May* 15, 661
Promotion, Question, Mr. Ritchie; Answer, Mr. Courtney *May* 15, 676

Cyprus—The New Constitution—Status of the Jews
Question, Mr. St. Aubyn; Answer, Mr. Courtney *May* 4, 92

Dalrymple, Mr. C., *Buteshire*
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Davey, Mr. H., *Christchurch*
Municipal Corporations, Comm. Schedule, 359, 360
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Prevention of Crime (Ireland), Comm. *cl.* 1, 1840; Amendt. 1852
Ways and Means—Inland Revenue—Carriage Duties, 1612

Dawnay, Colonel Hon. L. P., *Thirsk*
Arrears of Rent (Ireland), 2R. 1301
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Dawson, Mr. C., *Carlow*
Prevention of Crime (Ireland), Comm. 1559, 1561
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De La Warr, Earl
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Dickson, Mr. T. A., *Tyrone*
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Poor Law Guardians (Ireland), Comm. *cl.* 3, 1522; *cl.* 6, Amendt. 1525; *add. cl.* 1528
Poor Removal (Ireland) (No. 2), 2R. 934
Prevention of Crime (Ireland), 2R. 1026
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  Report, 1392

Dilke, Sir C. W. (Under Secretary of State for Foreign Affairs), *Chelsea, &c.*
Africa (East Coast)—Zanzibar—Slave Trade, 1934
Africa (South)—Cetewayo, ex-King of Zululand—Abandonment of Visit to England, 1935
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  Egypt—Miscellaneous Questions
    Ex-Khedive, Ismail Pasha, 98
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  Mercantile Marine—International Sailing Code—"City of Mecca," 664
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  Russia—Persecution of the Jews, 1611
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Dillon, Mr. J., *Tipperary*
  Ireland—Miscellaneous Questions
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Dillwyn, Mr. L. L., *Swansea*
  Africa (South)—Cetewayo, ex-King of Zululand—Visit to England, 1593, 1594
  Arklow Harbour, 3R. Amendt. 1048, 1051
  Arrears of Rent (Ireland), 2R. 1368, 1369
  Ireland—Irish Policy of the Government—Release of Mr. Parnell and others, 675
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Dixon-Hartland, Mr. F. D., *Evesham*
  Army (Auxiliary and Reserve Forces), 1261
  Army Estimates—Militia, Force of, &c. 611
  Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 1, 700; *cl.* 4, Amendt. 731; *cl.* 5, Amendt. 760
  Theatres and Music Halls (Metropolis)—Precautions Against Fire — Captain Shaw's Report, 106

Documentary Evidence Bill
(*Mr. John Holms, Lord Frederick Cavendish*)
c. Read 2^{o} * *May* 4 [Bill 143]
  Committee *; Report *May* 9
  Read 3^{o} * *May* 10
l. Read 1^{a} * (*The Lord Thurlow*) *May* 11 (No. 87)
  Read 2^{a} *May* 16, 815
  Committee *; Report *May* 19
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Dodds, Mr. J., *Stockton*
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Dodson, Right Hon. J. G. (President of the Local Government Board), *Scarborough*
  Imperial Taxation—Local Revenue and Expenditure, Ministerial Statement, 826
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  River Floods Prevention—Ouse and Derwent, 557, 1092
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  Ways and Means — Carriage Duties—Main Roads (South Wales), 956

Donaldson-Hudson, Mr. C., *Newcastle-under-Lyne*
  Africa (East Coast)—Zanzibar—Slave Trade, 1934
  Navy—Channel Squadron, 955
  Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 4, 741

Douglas, Mr. A. Akers-, *Kent, E.*
  Criminal Law—Incitements to Murder, 1710

Duckham, Mr. T., *Herefordshire*
  Education Department—School Board Rates, 287
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Duff, Mr. R. W., *Banffshire*
  Arklow Harbour, 3R. 1049
  Board Schools (Scotland), 2R. 35

Dyke, Right Hon. Sir W. H., *Kent, Mid*
  Arrears of Rent (Ireland), 2R. 1359

East and West India Dock Extension Bill
l. Bill reported from the Select Committee with Amendts. *June* 2, 1931; Moved, "That the Bill be re-committed to the same Select Committee" (*The Earl of Camperdown*); after short debate, Motion agreed to; Bill re-committed accordingly

Ecroyd, Mr. W. F., *Preston*
  Opening of National Museums, &c. on Sunday, Res. 1189
  Post Office—Postal Communication (Aden and East Africa, &c.), Res. 257

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Elementary Education, England, Question, Observations, Earl Spencer; Reply, Lord Norton; Question, The Marquess of Salisbury; Answer, Earl Spencer *May* 4, 63
Elementary Education Act, 1876 — *School Attendance*, Question, Mr. Tillett; Answer, Mr. Mundella *May* 4, 101
The New Code—The Instructions, Question, Sir Massey Lopes; Answer, Mr. Mundella *May* 4, 93
School Board Rates, Observations, Mr. J. R. Yorke; Reply, Mr. Mundella; debate thereon *May* 5, 263

Education Code for 1883
Moved, "That the Education Code for 1883 be referred to a committee to consider whether it might not be possible more effectually to carry out its professed intention of simplification of the Code, and remove the serious defects in the mode of distribution of the grants in aid, and prevent the perpetual changes against which complaints increasingly come from those engaged in the work of national elementary education" (*The Lord Norton*) *May* 19, 1067; after short debate, Motion withdrawn

Egypt (*Political Affairs*)
Lords
Notice of Question, Lord Lamington; Question, Earl De La Warr; Answer, Earl Granville *May* 12, 529; Question, Earl De La Warr; Answer, Earl Granville; short debate thereon *May* 15, 647; Question, Observations, The Marquess of Salisbury; Reply, Earl Granville *June* 1, 1771

Egypt (*Political Affairs*)
Moved, "For further correspondence upon Egypt" (*The Lord Stratheden and Campbell*) *May* 22, 1241; after short debate, Motion withdrawn

Egypt (*Political Affairs*)
Commons
Questions, Sir H. Drummond Wolff, Mr. Ashmead-Bartlett, Sir Stafford Northcote; Answers, Sir Charles W. Dilke *May* 11, 459; Questions, Mr. Labouchere, Mr. Ashmead-Bartlett; Answers, Sir Charles W. Dilke *May* 12, 565; Questions, Sir Stafford Northcote, Mr. Bourke, Sir H. Drummond Wolff, Mr. Ashmead-Bartlett, Mr. O'Donnell; Answers, Sir Charles W. Dilke *May* 15, 668; Questions, Mr. Ashmead-Bartlett, Mr. A. J. Balfour, Mr. O'Donnell, Sir H. Drummond Wolff, Mr. Onslow; Answers, Sir Charles W. Dilke *May* 22, 1258; Questions, Mr. G. W. Elliot, Sir Wilfrid Lawson; Answers, Sir Charles W. Dilke *May* 23, 1404; Questions, Baron Henry De Worms, Mr. Bourke, Mr. Ashmead-Bartlett; Answers, Sir Charles W. Dilke *May* 25, 1603; Questions, Sir Wilfrid Lawson, Mr. Ashmead-Bartlett, Sir Stafford Northcote, Lord Edmond Fitzmaurice, Sir H. Drummond

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Egypt (*Political Affairs*)—Commons—*cont.*
Wolff; Answers, Sir Charles W. Dilke; Question, Mr. O'Donnell [no answer] *May* 26, 1703; Questions, Sir R. Assheton Cross, Mr. W. H. Smith, Lord Claud Hamilton, Sir H. Drummond Wolff, Baron Henry De Worms, Mr. A. J. Balfour, Mr. Ashmead-Bartlett, Mr. Labouchere, Mr. M'Coan, Mr. Justin M'Carthy, Mr. Joseph Cowen; Answers, Sir Charles W. Dilke, Mr. Gladstone *June* 1, 1778; Questions, Sir George Campbell, Mr. Joseph Cowen, Sir H. Drummond Wolff, Sir Wilfrid Lawson, Mr. Bourke, Mr. Macfarlane; Answers, Sir Charles W. Dilke *June* 2, 1937

The Fleet at Alexandria, Questions, Mr. G. W. Elliot, Sir Wilfrid Lawson, Sir George Campbell, Sir H. Drummond Wolff; Answers, Sir Charles W. Dilke *May* 25, 1615
The Existing Crisis, Observations, Sir Wilfrid Lawson; Reply, Mr. Gladstone; debate thereon *May* 26, 1711
The Ex-Khedive, Ismail Pasha, Question, Mr. M'Coan; Answer, Sir Charles W. Dilke *May* 4, 98

Elcho, Lord, *Haddingtonshire*
Ireland—Irish Policy of the Government—Release of Mr. Parnell and others, 1263
Irish Executive—Colonel Brackenbury, 1268

Elementary Education Provisional Order Confirmation (London) Bill [H.L.]
(*The Lord Sandhurst*)
l. Report of Select Committee * *May* 9
Committee * *May* 19 (No. 56)
Report * *May* 22
Read 3ª * *June* 1

Elementary Education Provisional Orders Confirmation (West Ham) &c., Bill [H.L.] (*The Lord Sandhurst*)
l. Report of Select Committee * *May* 9
Committee * *May* 19 (No. 55)
Report * *May* 22
Read 3ª * *June* 1

Elliot, Hon. A. R. D., *Roxburgh*
Prevention of Crime (Ireland), 2R. 1028

Elliot, Mr. G. W., *Northallerton*
Egypt (Political Affairs), 1404;—Fleet at Alexandria, 1615

Emigration, State-Aided
Question, Mr. Rankin; Answer, Mr. Courtney *May* 5, 226

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Pluralities Acts Amendment, 2R. 333 ; Comm. *cl.* 2, Amendt. 1229, 1230 ; *cl.* 3, Amendt. *ib.* ; *cl.* 5, Amendt. *ib.*

FARQUHARSON, Dr. R., *Aberdeenshire, W*
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FAWCETT, Right Hon. H. (Postmaster General), *Hackney*
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FIRTH, Mr. J. F. B., *Chelsea*
Education Department—School Board Rates, 272
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Metropolis Management and Building Acts Amendment, Comm. *cl.* 7, 636, 637 ; *cl.* 8, 639 ; *cl.* 9, 640, 642, 644, 645, 646
Prevention of Crime (Ireland), Comm. *cl.* 1, 1766, 1807, 1901 ; Amendt. 2049

Fisheries (England)—The Vacant Inspectorship
Questions, Mr. Alderman W. Lawrence, Sir Henry Fletcher ; Answers, Sir William Harcourt *May* 25, 1592

Fisheries (Ireland) Bill
(*Mr. Leamy, Mr. Barry, Mr. Sexton, Mr. William Corbet*)
c. Bill withdrawn * *May* 19 [Bill 17]

Fishing Vessels' Lights—The Report of the Committee
Question, Mr. Birkbeck ; Answer, Mr. Chamberlain *May* 25, 1606

FITZMAURICE, Lord E., *Calne*
Arrears of Rent (Ireland), 2R. 1443
Egypt (Political Affairs), 1704
Ireland — Evictions — Erection of Huts for Evicted Tenants on the Estate of Lord Cloncurry, Murroe, Co. Limerick, 1751
Prevention of Crime (Ireland), Comm. *cl.* 1, 1809, 1910, 1912, 2052, 2068

FITZ-PATRICK, Hon. B. E., *Portarlington*
Poor Law Guardians (Ireland), Comm. *cl.* 2, Amendt. 1514, 1519 ; *cl.* 3, Amendt. 1520, 1521
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Ireland—Irish Policy of the Government—Release of Mr. Parnell and others, 894
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Arrears of Rent (Ireland), Motion for Leave, 788, 790 ; 2R. 1284, 1290, 1359, 1431
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l. Read 1ª * (*Lord Rosebery*) *May* 16 (No. 96)
  Read 2ª * *June* 2

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l. Presented; read 1ª * *May* 11 (No. 91)
Moved, "That the Bill be now read 2ª" *May* 16, 806
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(*Mr. Hibbert, Secretary Sir William Harcourt*)
c. Report * *May* 12 [Bill 128]
Read 3° * *May* 15
l. Read 1ª * (*Lord Rosebery*) *May* 16 (No. 92)
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Inclosure (Bettws Disserth) Provisional Order Bill
(*Mr. Hibbert, Secretary Sir William Harcourt*)
c. Report * *May* 12 [Bill 127]
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l. Read 1ª * (*Lord Rosebery*) *May* 16 (No. 93)
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Inclosure (Cefn Drawen) Provisional Order Bill
(*Mr. Hibbert, Secretary Sir William Harcourt*)
c. Report * *May* 12 [Bill 126]
Read 3° * *May* 15
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Criminal Law

Case of John M'Cormick, Questions, Mr. Sexton; Answers, Mr. Trevelyan, The Attorney General for Ireland *May* 26, 1700

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Release of the Convict Michael Davitt, Questions, Mr. Joseph Cowen, Mr. Gibson; Answers, Sir William Harcourt *May* 4, 97; Question, Mr. Lewis; Answer, Sir William Harcourt *May* 11, 458

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Mr. Parnell, Question, Sir H. Drummond Wolff; Answer Mr. Trevelyan *May* 25, 1593

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Evictions at Carraroe, Question, Mr. Dillon; Answer, Mr. Trevelyan *May* 26, 1709

Land League Huts for Evicted Families on the Estate of Lord Cloncurry at Murroe, Co. Limerick, Question, Mr. Dillon; Answer, Mr. Trevelyan *May* 22, 1262; Question, Mr. Dillon; Answer, Mr. Trevelyan; Question, Mr. Sexton; [no answer] *May* 26, 1706; Observations, Mr. Dillon; debate thereon, 1732

"*Land League Hunts*," Question, Mr. Healy; Answer, The Attorney General for Ireland *May* 5, 228

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Disturbance at Killarney, Question, Mr. Redmond; Answer, The Attorney General for Ireland *May* 15, 658

Disturbances at Ballina, Question, Mr. O'Connor Power; Answer, The Attorney General for Ireland *May* 15, 659; Questions, Mr. O'Connor Power; Answers, The Attorney General for Ireland, Mr. Trevelyan *May* 23, 1403

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Rioting at Limerick, Questions, Mr. Ashmead-Bartlett, Mr. Healy; Answers, Mr. Trevelyan *May* 25, 1606

The Assassination of Lord Frederick Cavendish and Mr. Burke, Moved, "That this House do now adjourn" (*The Earl Granville*) *May* 8, 315; after short debate, Motion agreed to

Moved, "That this House do now adjourn" (*Mr. Gladstone*) *May* 8, 320; after short debate, Motion agreed to

Funeral of the late Lord Frederick Cavendish—Attendance of Members of this House, Motion made, and Question, "That this House, at its rising this day, do adjourn till To-morrow, at Nine o'clock in the Evening" (*Lord Richard Grosvenor*) put, and agreed to *May* 10

The Assassinations in the Phœnix Park, Question, Mr. Macfarlane; Answer, The Attorney General for Ireland *May* 12, 559

Assassination of Mr. Burke, the late Under Secretary, Question, Sir Michael Hicks-Beach; Answer, Mr. Gladstone *May* 12, 557;—*Pension to Miss Burke*, Question, Observations, Lord Oranmore and Browne; Reply, Earl Granville *May* 16, 824

The Assassinations in Phœnix Park, Dublin—The Special Police Patrols, Questions, Mr. Redmond, Mr. Healy; Answers, Mr. Trevelyan *May* 25, 1602;—*Captain Talbot, Chief of the Metropolitan Police, Dublin*, Questions, Mr. Healy, Mr. Redmond; Answers, Mr. Trevelyan; Question, Mr. O'Kelly; [No answer] *May* 26, 1708

Protection of Person and Property (Ireland) Act, 1881

The Released Members, Question, Sir H. Drummond Wolff; Answer, The Attorney General for Ireland *May* 4, 100

Release of Prisoners under the Act, Questions, Sir H. Drummond Wolff, Mr. Dillon, Mr. O'Kelly, Mr. Sexton, Sir Michael Hicks-Beach, Mr. Gibson, Mr. Arthur Arnold, Mr. J. Lowther, Mr. O'Donnell; Answers, Mr. Gladstone, Mr. Speaker *May* 4, 101

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Mr. Patrick Clinton and Mr. James Monaghan, Question, Mr. T. D. Sullivan; Answer, The Attorney General for Ireland *May* 5, 230

Mr. E. J. Hoare, Question, Mr. Redmond; Answer, The Attorney General for Ireland *May* 15, 659

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Mr. Edward O'Connor, Question, Mr. Redmond; Answer, Mr. Trevelyan *May* 19, 1090
Mr. Henry O'Mahony, Question, Mr. Redmond; Answer, Mr. Trevelyan *May* 22, 1251
Lawrence Halpin and Hugh Smith, Question, Mr. Sheil; Answer, Mr. Trevelyan *May* 22, 1257
Mr. Thomas Brennan, Question, Mr. Healy; Answer, Mr. Trevelyan *May* 22, 1267
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Mrs. Moore, Miss Kirk, and Miss O'Connor, Question, Mr. Labouchere; Answer, Mr. Trevelyan *May* 23, 1404

Detention of Letters, Questions, Mr. Healy; Answers, The Attorney General for Ireland *June* 1, 1790
Gun Licences, Co. Wicklow, Question, Mr. W. J. Corbet; Answer, The Attorney General for Ireland *May* 16, 826
The Royal Irish Constabulary
Pay and Allowances—Evidence given before the late Commission, Question, Mr. O'Shaughnessy; Answer, The Attorney General for Ireland *May* 5, 231; Question, Mr. Ion Hamilton; Answer, Mr. Trevelyan *May* 25, 1605;—*Legislation*, Question, Mr. Gibson; Answer, Mr. Trevelyan; Question, Mr. Healy; [No answer] *May* 26, 1702
Police Patrols in Phœnix Park, Dublin, Question, Mr. Redmond; Answer, Mr. Trevelyan *May* 22, 1254
Special Grant, Question, Mr. Gibson; Answer, Mr. Trevelyan *May* 25, 1594
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Sub-Inspector Webb, Question, Mr. Redmond; Answer, The Attorney General for Ireland *May* 18, 950

Ireland—Grand Jury System
Amendt. on Committee of Supply *May* 12, To leave out from "That," and add "in the opinion of this House, it is expedient that the Grand Jury system in Ireland should be immediately reformed" (*Mr. Healy*) *v.* 559; Question proposed, "That the words, &c.;" after debate, Question put; A. 118, N. 24; M. 94 (D. L. 78)

Irish Land Commission
"*Fair Rents*," Petition for a speedy declaration of the principles adopted in the assessment of fair rents under the Act by the Land Commissioners in Ireland; of Owners of land and others living in Ireland, or interested in its welfare" (*The Earl of Longford*) read *May* 4, 76; Petition to lie on the Table

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Irish Land Commission—cont.
Judicial Rents—The Return, Question, Mr. Plunket; Answer, Mr. Trevelyan *May* 26, 1707
Labourers' Cottages, Question, Mr. Villiers Stuart; Answer, Mr. Trevelyan *May* 22, 1256

Irish Reproductive Loan Fund Act (1874) Amendment Bill
(*Mr. Blake, Colonel Colthurst, Colonel Nolan, Mr. O'Shea, Mr. O'Connor Power, Mr. Collins*)
c. Read 2° * *May* 3 [Bill 133]
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *May* 9, 361
Moved, "That the Debate be now adjourned" (*Mr. Gibson*); after short debate, Motion agreed to; Debate adjourned
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Main Question put, and agreed to; Committee; Report
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JAMES, Mr. W. H., *Gateshead*
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 4, 735

JOHNSON, Right Hon. W. M. (Attorney General for Ireland), *Mallow*
County Courts (Ireland), Comm. *add. cl.* 1053; Consid. 1396; *add. cl.* 1692; *cl.* 8. Amendt. 1693
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Judgments (Inferior Courts) Bill [Bill 44]
(*Mr. Monk, Mr. Norwood, Mr. Anderson, Mr. Corry, Mr. Reid, Mr. Serjeant Simon*)
c. Order for Consideration, as amended, read *May* 11, 527; after short debate, further Consideration, as amended, deferred

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(*Mr. Hibbert, Secretary Sir William Harcourt*)
c. Ordered; read 1° * *May* 16 [Bill 164]
Read 2° * *May* 26

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  Irish Chancery Leases—Deprivation of Compensation for Improvements, Question, Mr. Healy; Answer, The Solicitor General for Ireland *May* 15, 675
  Section 21—*Existing Leases*, Question, Mr. Healy; Answer, Mr. Gladstone *May* 18, 960
  Rights of Turbary, Questions, Mr. Biggar, Mr. Healy; Answers, The Attorney General for Ireland *May* 19, 1092

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  Judicature Act, 1875—*The New Rules of Procedure*, Question, Sir Hardinge Giffard; Answer, The Attorney General *May* 5, 226
  Judicature Act, 1876—*The Appellate Court*, Question, Observations, Earl Cairns; Reply, The Lord Chancellor; Observations, Lord Coleridge *May* 11, 448

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  Miscellaneous Questions
  Gun Licences Act, 1870—*Use of Revolvers*, Question, Sir James Lawrence; Answer, Sir William Harcourt *May* 11, 454
  Legal Obligations of Innkeepers—Refusal to Admit a Soldier, Question, Lieut.-Colonel Milne Home; Answer, Sir William Harcourt *May* 4, 93
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  The Riots at Camborne, Cornwall, Question, Mr. O'Donnell; Answer, Sir William Harcourt *May* 4, 88
  Wilful Obstructions on Railways, Question, Mr. Northcote; Answer, Sir William Harcourt *May* 4, 94

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Lawrence, Mr. Alderman W., *London*
  Fisheries (England)—The Vacant Inspectorship, 1592

Lawson, Sir W., *Carlisle*
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    Land Law Act, 1881—Sub-Commissioners, 677
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Licensing Laws (Scotland) Bill [Bill 86]
(*Lord Colin Campbell, Dr. Cameron, Mr. Anderson, Mr. Crum, Mr. Bolton, Mr. Mackintosh, Mr. J. Hamilton, Mr. Stewart, Mr. Williamson*)
c. Moved, "That the Bill be now read 2°" *May* 10, 400
Amendt. to leave out "now," and add "upon this day six months" (*Sir Herbert Maxwell*); Question proposed, "That 'now,' &c.;" after long debate, Debate adjourned

Lincoln, Bishop of
Universities of Oxford and Cambridge Act, 1877 (Lincoln College Statutes), Motion for an Address, 529

Lindsay, Colonel Sir R. J. Loyd, *Berkshire*
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Lloyd, Mr. M., *Beaumaris*
Contumacious Clerks, 2R. 375, 377
Prevention of Crime (Ireland), Comm. *cl.* 1, 1947

Local Government Provisional Order (Artizans' and Labourers' Dwellings) Bill (*Mr. Hibbert, Mr. Dodson*)
c. Ordered; read 1°* *May* 15 [Bill 162]
Read 2°* *May* 23

Local Government Provisional Orders (No. 1) Bill (*Mr. Hibbert, Mr. Dodson*)
c. Report* *May* 22 [Bill 131]
Considered* *May* 23
Read 3°* *May* 24
l. Read 1ª* (*Lord Carrington*) *June* 1 (No. 106)

Local Government Provisional Orders (No. 2) Bill
(*Mr. Hibbert, Mr. Dodson*)
c. Read 2°* *May* 9 [Bill 145]
Order for Committee discharged* *May* 23

Local Government Provisional Orders (No. 3) Bill
(*Mr. Hibbert, Mr. Dodson*)
c. Ordered; read 1°* *May* 8 [Bill 152]
Read 2°* *May* 16

Local Government Provisional Orders (No. 4) Bill
(*Mr. Hibbert, Mr. Dodson*)
c. Ordered; read 1°* *May* 12 [Bill 159]
Read 2°* *May* 23

Local Government Provisional Orders (No. 5) Bill
(*Mr. Hibbert, Mr. Dodson*)
c. Ordered; read 1°* *May* 12 [Bill 160]
Read 2°* *May* 22

Local Government Provisional Orders (No. 6) Bill
(*Mr. Hibbert, Mr. Dodson*)
c. Ordered; read 1°* *May* 18 [Bill 166]
Read 2°* *June* 1

Local Government Provisional Orders (No. 7) Bill
(*Mr. Hibbert, Mr. Dodson*)
c. Ordered; read 1°* *May* 18 [Bill 167]
Read 2°* *June* 1

Local Government Provisional Orders (No. 8) Bill
(*Mr. Hibbert, Mr. Dodson*)
c. Ordered; read 1°* *May* 18 [Bill 168]
Read 2°* *June* 1

Local Government Provisional Orders (No. 9) Bill
(*Mr. Hibbert, Mr. Dodson*)
c. Ordered; read 1°* *May* 22 [Bill 174]
Read 2°* *June* 1

Local Government Provisional Orders (No. 10) Bill
(*Mr. Hibbert, Mr. Dodson*)
c. Ordered; read 1°* *May* 24 [Bill 181]
Read 2°* *June* 1

Local Government Provisional Orders (No. 11) Bill
(*Mr. Hibbert, Mr. Dodson*)
c. Ordered; read 1°* *May* 26 [Bill 186]
Read 2°* *June* 1

Local Government (Gas) Provisional Order Bill
(*Mr. Hibbert, Mr. Dodson*)
c. Read 2°* *May* 9 [Bill 144]

Local Government Provisional Order (Highways) Bill
(*Mr. Hibbert, Mr. Dodson*)
c. Report* *May* 5 [Bill 129]
Read 3°* *May* 8
l. Read 1ª* (*Lord Rosebery*) *May* 9 (No. 82)
Read 2ª* *May* 19
Committee*; Report *May* 22
Read 3ª* *June* 1

Local Government Provisional Orders (Poor Law) Bill
(*Mr. Hibbert, Mr. Dodson*)
c. Report* *May* 18 [Bill 130]
Order for 3R. discharged* *May* 19
Report* *May* 22
Considered* *May* 23
Read 3°* *May* 24
l. Read 1ª* (*Lord Carrington*) *June* 1 (No. 107)

Local Government (Ireland) Provisional Order Bill (*Mr. Herbert Gladstone, Lord Frederick Cavendish*)
c. Report* *May* 12 [Bill 138]
Read 3º* *May* 15
l. Read 1ª* (*Lord Rosebery*) *May* 16 (No. 95)
Read 2ª* *June* 2

Local Government (Ireland) Provisional Orders (Ballymena, &c.) Bill [H.L.] (*The Lord Privy Seal*)
l. Read 3ª* *May* 4 (No. 57)
c. Read 1º* *May* 10 [Bill 155]
Read 2º* *May* 19

Local Government (Ireland) Provisional Orders (No. 2) Bill (*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*)
c. Ordered; read 1º* *May* 16 [Bill 165]
Read 2º* *May* 26

Local Government (Ireland) Provisional Orders (No. 3) Bill (*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*)
c. Ordered; read 1º* *May* 19 [Bill 172]
Read 2º* *June* 1

Local Government (Ireland) Provisional Order (No. 4) Bill (*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*)
c. Ordered; read 1º* *May* 22 [Bill 173]

Local Government (Ireland) Provisional Orders (No. 5) Bill (*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*)
c. Ordered; read 1º* *May* 23 [Bill 175]

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The International Sailing Code—The "City of Mecca," Question, Mr. Anderson ; Answer, Sir Charles W. Dilke *May* 15, 663

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Metropolis Management and Building Acts Amendment Bill
(*Sir James M'Garel-Hogg, Admiral Sir John Hay, Sir Andrew Lusk*)
c. Committee *May* 12, 635 [House counted out]
Committee; Report *May* 18, 1058 [Bill 107]
Considered * *May* 19
Read 3° * *May* 22
l. Read 1ª * (*Lord Thurlow*) *June* 1 (No. 104)

Metropolitan Board of Works (Money) Bill
(*Mr. Courtney, Lord Richard Grosvenor*)
c. Ordered; read 1° * *May* 23 [Bill 176]

Mexico—Diplomatic Relations
Question, Mr. Buxton; Answer, Sir Charles W. Dilke *May* 25, 1611

Middlesex Land Registry Bill
(*Mr. Hopwood, Sir Thomas Chambers, Mr. Gregory, Sir Sydney Waterlow*)
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Read 3° * *May* 10
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l. Read 1ª * *May* 4 (No. 76)
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l. Presented; read 1ª * *May* 4 (No. 79)
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National Museums and Galleries, Sunday Opening of
Observations, Viscount Powerscourt; Reply, The Earl of Rosebery *May* 15, 657

National Museums, &c., Sunday Opening of
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National Museums, &c., Sunday Opening of—cont.
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Parliament
LORDS—
Private and Provisional Order Confirmation Bills
Ordered, That Standing Orders Nos. 92 and 93 be suspended; and that the time for depositing petitions praying to be heard against Private and Provisional Order Confirmation Bills, which would otherwise expire during the adjournment of the House at Whitsuntide, be extended to the first day on which the House shall sit after the recess

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Public Accounts Committee, Select Committee nominated *May* 15; List of the Committee, 801
The Printing Committee—Mr. Parnell, Question, Mr. R. Power; Answer, Mr. Gladstone *May* 4, 97
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Ascension Day—Committees
Ordered, That Committees shall not sit To-morrow, being Ascension Day, until Two of the clock, and have leave to sit till Six of the clock, notwithstanding the sitting of the House (*Mr. Gladstone*) *May* 17

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Private Bills
Resolved, That Standing Orders 129 and 39 be suspended, and that the time for depositing Petitions against Private Bills, or against any Bill to confirm any Provisional Order, or Provisional Certificate, and for depositing duplicates of any Documents relating to any Bill to confirm any Provisional Order, or Provisional Certificate, be extended to Thursday 1st June (*The Chairman of Ways and Means*) *May* 26

Standing Orders
Standing Order 26, read and amended
New Standing Order, to follow Standing Order 34
Standing Order 73, read and amended
New Standing Order, to follow Standing Order 208
Standing Order 210 read, and amended
Standing Order 225a read, and amended (*The Chairman of Ways and Means*) *May* 26, 1698
Rules of Debate—Explanation—Mr. P. Egan and Mr. Forster, Observations, Mr. Dillon; Question, Mr. Macartney; Answer, Mr. Speaker *May* 19, 1095

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[*cont.*

PARLIAMENT—COMMONS—cont.
at its rising, do adjourn until Thursday 1st of June" (*Mr. Gladstone*) *May* 26, 1698; after short debate, Motion withdrawn; Moved, "That this House, at its rising, do adjourn until Thursday 1st of June" (*Mr. Gladstone*), 1711

Parliament—Business of the House—Arrangement of Public Business
Moved, "That the several stages of the Prevention of Crime (Ireland) Bill and the Adjourned Debate on the Second Reading of the Arrears of Rent (Ireland) Bill, have precedence of all Orders of the Day and Notices of Motions, from day to day, until the House shall otherwise order" (*Mr. Gladstone*), 1408
After short debate, Amendt. proposed, to leave out "the several stages of the Prevention of Crime (Ireland) Bill and" (*Mr. Healy*); Question proposed, "That the words, &c.;" Question put; A. 228, N. 31; M. 197 (D. L. 95)
Amendt. proposed, to leave out "Adjourned Debate on Second Reading of the" (*Sir George Campbell*); Question proposed, "That the words, &c.;" after short debate, Question put; A. 250, N. 35; M. 215 (D. L. 96); after short debate, main Question put; A. 254, N. 15; M. 239 (D. L. 97)

Parliament—Orders of the Day
Ordered, "That the Orders of the Day be postponed until after the Notice of Motion for leave to bring in a Bill for the Prevention of Crime in Ireland" (*Secretary Sir William Harcourt*) *May* 11, 461
Ordered, "That the Orders of the Day subsequent to the Order for the Committee on the Ballot Act Continuance Bill be postponed until after the Notice of Motion relating to Arrears of Rent in Ireland" (*Mr. Gladstone*) *May* 15, 679

Parliament—Business of the House—The Half-Past Twelve O'Clock Rule—Standing Committees
Moved, "That the Standing Order of the 18th February, 1879, be amended, by adding, at the end thereof, the words 'Motions for the appointment or nomination of Standing Committees be excepted from the operation of this Order'" (*Sir Henry Holland*) *May* 9, 341
Amendt. proposed, after "Committees," to insert "Sessional Motions and Proceedings made in accordance with the provisions of any Act of Parliament or Standing Order, and Motions for leave to bring in a Bill, and the stages subsequent to Committee" (*Sir John Lubbock*); Question proposed, "That those words be there inserted;" after short debate, Amendt. withdrawn
Amendt. proposed, after "Committees," to insert "and Proceedings made in accordance with the provisions of any Act of Parliament or Standing Order;" Question, "That those words be there inserted," put, and agreed to; main Question, as amended, put, and agreed to

Parliament—Privilege—"Bradlaugh v. Erskine"—Service of a Writ on the Deputy Serjeant-at-Arms
The Serjeant-at-Arms having informed the House that Mr. Erskine, Deputy Serjeant-at-Arms, had received copy of a Writ in an action brought against him by Mr. Charles Bradlaugh, Member for Northampton
After debate, Moved, "That the Communication now made to the House be taken into Consideration upon Monday next" (*Mr. Attorney General*) *May* 5, 242
Amendt. to leave out "upon Monday next," and add "upon this day six months" (*Mr. Healy*); Question proposed, "That the words 'upon Monday next,' &c.;" after short debate, Amendt. withdrawn
Original Question put, and agreed to
Writ and other Documents considered *May* 9, 337
Moved, "That Leave be given to Henry David Erskine, esquire, Deputy Serjeant-at-Arms, to appear and plead in the action brought against him by Mr. C. Bradlaugh" (*Mr. Attorney General*); after short debate, Motion agreed to
Moved, "That the Attorney General be directed to defend the Deputy Serjeant-at-Arms against the said action" (*Mr. Attorney General*); Motion agreed to

PARLIAMENT—HOUSE OF COMMONS
New Writs Issued
May 4—*For* the Northern Division of the West Riding of Yorkshire, *v.* Lord Frederick Charles Cavendish, Chief Secretary to the Lord Lieutenant of Ireland
May 9—*For* Hawick District of Burghs, *v.* George Otto Trevelyan, esquire, Chief Secretary to the Lord Lieutenant of Ireland

New Members Sworn
May 18—Right hon. George Otto Trevelyan, *Hawick District of Burghs*
May 22—Isaac Holden, esquire, *Northern Division of the West Riding of Yorkshire*

Parliamentary Elections (Corrupt and Illegal Practices) Bill
(*Mr. Attorney General, Secretary Sir William Harcourt, Mr. Chamberlain, Sir Charles W. Dilke, Mr. Solicitor General*)
c. Committee—R.P., after short debate *May* 9, 375 [Bill 21]
Committee—R.P. *May* 15, 680

PARNELL, Mr. C. S., *Cork*
Arrears of Rent (Ireland), Motion for Leave, 786, 791, 795
Criminal Law—Michael Davitt's Speech at Manchester, 1615

[*cont.*

PARNELL, Mr. C. S.—*cont.*
Ireland—Miscellaneous Questions
Assassination of Lord Frederick Cavendish and Mr. Burke, Motion for Adjournment, 323
Evictions—Erection of Huts for Evicted Families on the Estate of Lord Cloncurry, Murroe, Co. Limerick, 1735, 1749
Irish Policy of the Government—Release of Mr. Parnell and others, 672, 673;—Resignation of the Chief Secretary to the Lord Lieutenant, Personal Explanation, 126, 127, 128
Parliament—Arrangement of Public Business, 1267
Derby Day, 1415, 1417
Prevention of Crime (Ireland), Motion for Leave, 482; 2R. 1123; Comm. Motion for Adjournment, 1589, 1618, 1624, 1754; *cl.* 1, Amendt. 1791, 1798, 1825, 1832, 1838, 1842, 1849, 1851, 1890, 1904, 1905, 1908; Motion for reporting Progress, 1923, 1926, 1942; Amendt. 2012, 2013, 2014, 2021, 2022, 2025, 2034, 2060; Motion for reporting Progress, 2076

Parochial Charities (London) Bill
(*Mr. Bryce, Mr. Pell, Sir Henry Peek, Mr. Walter James, Mr. Joseph Cowen, Mr. Horace Davey*)
c. Report of Select Comm.* *May* 23 [No. 205]

Partnerships Bill (*Mr. Monk, Mr. Gregory, Mr. Barran, Mr. Lewis Fry*)
c. Report of Select Comm.* *May* 23 [No. 204]

Patent Medicines
Observations, Mr. Warton, Dr. Farquharson; Reply, Mr. Hibbert *May* 12, 594

PATRICK, Mr. R. W. COCHRAN-, *Ayrshire, N.*
Board Schools (Scotland), 2R. 24
Poor Removal (Ireland) (No. 2), 2R. Amendt. 898

Payment of Wages in Public-houses Prohibition Bill [H.L.]
(*The Earl Stanhope*)
l. Committee*; Report *May* 16 (No. 41)
Read 3ª* *May* 19
c. Read 1º* (*Mr. Morley*) *May* 25 [Bill 185]

PEASE, Sir J. W., *Durham, S.*
Arrears of Rent (Ireland), 2R. 1368
Capital Punishment, 2R. 382, 400
Post Office—Postal Communication (Aden and East Africa, &c.), Res. 256
Prevention of Crime (Ireland), Motion for Leave, 513
Prisons (England)—The Convict Fury, 1254
Railways—Standing Order 167, 1610

PEASE, Mr. A., *Whitby*
Arklow Harbour, 3R. 1051

PEDDIE, Mr. J. DICK-, *Kilmarnock, &c.*
Public Schools (Scotland) Teachers, 2R. 803

PELL, Mr. A., *Leicestershire, S.*
Education Department—School Board Rates, 267, 282
Imperial Taxation—Local Revenue and Expenditure, Ministerial Statement, 826
Ireland—Irish Policy of the Government—Release of Mr. Parnell and others, 840
Poor Removal (Ireland) (No. 2), 2R. 924

PERCY, Right Hon. Earl, *Northumberland, N.*
Army—Contracts for Meat, 952
Army Estimates—Militia, Force of, &c. 607, 622, 628, 629
Ballot Act Continuance and Amendment, 2R. 371
Education Department—School Board Rates, 286
Parliament—Business of the House—Half-past Twelve o'clock Rule—Appointment of Standing Committees, Res. 350

PERCY, Lord Algernon, *Westminster*
Army Estimates—Militia, Force of, &c. 612

Petty Sessions (Ireland) Bill [H.L]
(*The Viscount Lifford*)
l. Presented; read 1ª* *May* 11 (No. 89)
Read 2ª* *May* 15
Committee* *May* 19
Report* *June* 1
Read 3ª* *June* 2

Pier and Harbour Provisional Orders Bill
(*Mr. Ashley, Mr. Chamberlain*)
c. Read 2º* *May* 8 [Bill 142]

Pier and Harbour Provisional Orders (No. 2) Bill (*Mr. Ashley, Mr. Chamberlain*)
c. Ordered; read 1º* *May* 5 [Bill 150]
Read 2º* *May* 16

Places of Public Worship Sites Amendment Bill [H.L.]
(*The Lord Aberdare*)
l. Read 1ª* *May* 4 (No. 77)
Read 2ª *May* 19, 1085

PLAYFAIR, Right Hon. Mr. Lyon (Chairman of Committees of Ways and Means and Deputy Speaker), *Edinburgh and St. Andrew's Universities*
Board Schools (Scotland), 2R. 38, 40
Metropolis Management and Building Acts Amendment, Comm. *cl.* 7, 638; *cl.* 15, 1063, 1064
Municipal Corporations, Comm. *cl.* 59, 216; Schedule, 360
Parliament—Business of the House—Half-past Twelve o'clock Rule—Appointment of Standing Committees, Res. 352

[*cont.*

Playfair, Right Hon. Mr. Lyon—*cont.*
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 1, 684, 705; *cl.* 4, 732, 733, 735, 748, 751, 764
Poor Law Guardians (Ireland), Comm. *cl.* 1, 1511; *cl.* 3, 1522; *cl.* 6, 1523; *add. cl.* 1526
Prevention of Crime (Ireland), Comm. *cl.* 1, 1756, 1761, 1762, 1770, 1804, 1812, 1816, 1823, 1824, 1838, 1847, 1890, 1904, 1967, 1986, 2010, 2036, 2037, 2040, 2042, 2043, 2045, 2046, 2047, 2063, 2071
Spirits in Bond, 2R. 380
Supply—Civil Services and Revenue Departments, 1197

Plunket, Right Hon. D. R., *Dublin University*
Ireland—Evictions — Erection of Huts for Evicted Families on the Estate of Lord Cloncurry, Murroe, Co. Limerick, 1733
Irish Land Commission—Judicial Rents—The Return, 1707
Ireland—Grand Jury System, Res. 571
Prevention of Crime (Ireland), Comm. 1475

Pluralities Acts Amendment Bill [H.L.]
(*The Lord Bishop of Exeter*)
l. Read 2ª, after short debate *May* 9, 333 (No. 74)
Committee *May* 22, 1229

Police Superannuation Bill—Legislation
Question, Colonel Alexander; Answer, Sir William Harcourt *May* 25, 1607

Poor Law
Vagrancy, Question, Sir Baldwyn Leighton; Answer, Mr. Dodson *May* 4, 91
Vagrancy (*England and Wales*), Observations, Sir Baldwyn Leighton; Reply, Mr. Dodson; short debate thereon *May* 12, 580

Poor Law Guardians (Ireland) Bill
(*Mr. Leahy, Mr. Gray, Mr. O'Sullivan*)
c. Committee *—R.P. *May* 9 [Bill 7]
Committee—R.P. *May* 22, 1397
Committee; Report *May* 23, 1511

Poor Law (Settlement) Bill
(*Mr. O'Sullivan, Mr. Peel, Sir Hervey Bruce, Mr. Joseph Cowen*)
c. Ordered; read 1° * *May* 18 [Bill 170]

Poor Rates Bill
(*Mr. Jacob Bright, Mr. Whitley, Mr. Rathbone, Colonel Makins, Mr. Coddington*)
c. Ordered; read 1° * *May* 18 [Bill 171]
Read 2° * *May* 22
Committee *; Report *May* 25
Considered * *June* 1
Read 3° * *June* 2

Poor Removal (Ireland) (No. 2) Bill
(*Sir Hervey Bruce, Mr. Corry, Mr. Lewis*)
c. Moved, "That the Bill be now read 2°" *May* 17, 897

Poor Removal (*Ireland*) (*No.* 2) *Bill*—cont.
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Cochran-Patrick*); Question proposed, "That 'now,' &c.;" after debate, Question put; A. 91, N. 172; M. 81 (D. L. 86)
Words added; main Question, as amended, put, and agreed to; 2R. put off

Porter, Mr. A. M. (Solicitor General for Ireland), *Londonderry Co.*
County Courts (Ireland), Comm. *add. cl.* 1054
Ireland, State of—Miscellaneous Questions
Emergency Men at Attanagh, 458
Irish Chancery Leases — Deprivation of Compensation for Improvements, 675
"Moonlighters," Outrages by, 457
Seditious Placards, Co. Wicklow, 456
Speech of the Rev. Mr. O'Boyle, 457
"United Ireland" Newspaper—Seditious Language, 455
Prevention of Crime (Ireland), Comm. 1495, 1561; *cl.* 1, 2049

Post Office
Miscellaneous Questions
Braintree Post Office, Question, Colonel Ruggles-Brise; Answer, Mr. Fawcett *May* 4, 87
Stafford Post Office, Question, Mr. M'Laren; Answer, Mr. Fawcett *May* 23, 1400
York Post Office, Question, Mr. Creyke; Answer, Mr. Fawcett *May* 4, 98
Letter Carriers, Questions, Mr. W. M. Torrens, Mr. Schreiber; Answers, Mr. Fawcett *May* 4, 86;—*Auxiliary Letter Carriers*, Question, Baron Henry De Worms; Answer, Mr. Fawcett *May* 22, 1257
Mail Train from Basingstoke to Exeter, Question, Mr. R. H. Paget; Answer, Mr. Fawcett *May* 15, 676
Postage Rates to India, Question, Mr. Baxter; Answer, Mr. Fawcett *May* 4, 86
The Parcels Post System, Questions, Mr. Broadhurst, Mr. H. H. Fowler; Answers, Mr. Fawcett *May* 4, 87;—*The new Parcels Post*, Question, Mr. Broadhurst; Answer, Mr. Fawcett *May* 22, 1254

Telegraph Department
London and Globe Telephone Company, Question, Mr. R. Biddulph Martin; Answer, Mr. Fawcett *May* 19, 1093
Reigate and Redhill, Question, Mr. Frhfield; Answer, Mr. Fawcett *May* 25, 1614
Telegraphic Communication between England and France, Question, Sir Edward Watkin; Answer, Mr. Fawcett *May* 15, 659

Post Office—Postal Communication (*Aden and East Africa, &c.*)
Amendt. on Committee of Supply *May* 5, To leave out from "That," and add "it is important to the commerce of the United Kingdom, and for the supplanting of the Slave Trade, that steps be taken by the Government to maintain and extend the existing postal facilities between Aden and

Post Office—Postal Communication (Aden and East Africa, &c.)—cont.
East Africa, and also to secure similar communication with the Red Sea ports" (*Mr. Slagg*) *v.*, 246 ; Question proposed, "That the words, &c. ;" after debate, Question put, and agreed to

Power, Mr. J. O'Connor, *Mayo*
Arrears of Rent (Ireland), Motion for Leave, 795 ; 2R. 1365
Ireland—Miscellaneous Questions
Irish Policy of the Government—Resignation of the Chief Secretary to the Lord Lieutenant, Personal Explanation, 153
Land Law Act, 1881—Operation of the Act, 239
State of—Disturbances at Ballina, 659, 1403
Prevention of Crime (Ireland), Comm. 1481 ; *cl.* 1, 1881, 1885, 1973

Power, Mr. R., *Waterford*
Prevention of Crime (Ireland), Motion for Leave, 524
Printing Committee—Mr. Parnell, 97, 98
Supply, Report, 1394

Powerscourt, Viscount
Sunday Opening of National Museums and Galleries, 657

Powis, Earl of
Municipal Corporations (Unreformed), 2R. 818

Prevention of Crime (Ireland) [Allowances and Expenses]
Considered in Committee *May* 23, 1506
Moved, "That it is expedient to authorise the payment, out of the Consolidated Fund of the United Kingdom, or out of moneys to be provided by Parliament, of allowances to Judges ; and remuneration to persons appointed to investigate claims for compensation, as well as of allowances to officers and others, and of any expenses which may become payable under the provisions of any Act of the present Session for the Prevention of Crime in Ireland" (*Mr. Trevelyan*) ; after short debate, Question put ; A. 92, N. 21 ; M. 71 (D. L. 100)

Prevention of Crime (Ireland) Bill
Observations, Mr. Parnell ; Reply, Mr. Gladstone *May* 26, 1754
Clause 1—Alleged Resignation of Judges—Questions, Mr. Healy ; Answers, The Attorney General for Ireland, Mr. Gladstone *June* 2, 1939
Suspension of Trial by Jury—The Judges—Questions, Mr. Patrick Martin, Mr. Joseph Cowen ; Answers, Mr. Gladstone *May* 22, 1264

Prevention of Crime (Ireland) Bill
(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. Attorney General, Mr. Solicitor General, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*)
c. Moved, "That leave be given to bring in a Bill for the Prevention of Crime in Ireland" (*Secretary Sir William Harcourt*) *May* 11, 462 ; after long debate, Question put ; A. 327, N. 22 ; M. 305 (D. L. 77) ; Bill ordered ; read 1° * [Bill 157]
Moved, "That the Bill be now read 2°" *May* 18, 961 ; after long debate, Moved, "That the Debate be now adjourned" (*Mr. Sexton*) ; Motion agreed to ; Debate adjourned
Debate resumed *May* 19, 1096 ; after long debate, Question put ; A. 383, N. 45 ; M. 338
Div. List, A. and N., 1145
Bill read 2°
Order for Committee read ; Moved, "That Mr. Speaker do now leave the Chair" *May* 23, 1448
Amendt. to leave out from "That," and add "while this House is desirous of aiding Her Majesty's Government in any measures which they can show to be necessary to adopt for preventing, detecting, and punishing crime, it disapproves of restrictions being imposed on the free expression of public opinion in Ireland" (*Mr. Joseph Cowen*) *v.* ; Question proposed, "That the words, &c. ;" after long debate, Moved, "That the Debate be now adjourned" (*Mr. Dillon*) ; Motion agreed to ; Debate adjourned
Debate resumed [Second Night] *May* 24, 1534 ; after long debate, Moved, "That the Debate be now adjourned" (*Mr. Parnell*) ; Question put, and agreed to ; Debate adjourned
Debate resumed [Third Night] *May* 25, 1617 ; after long debate, Question put ; A. 344, N. 47 ; M. 297 (D. L. 101)
Main Question, "That Mr. Speaker, &c.," put, and agreed to ; Committee—R.P.
Committee—R.P. [First Night] *May* 26, 1756
Committee—R.P. [Second Night] *June* 1, 1791
Committee—R.P. [Third Night] *June* 2, 1941

Price, Captain G. E., *Devonport*
Navy—Naval Artillery—Writers, 1604, 1605

Prisons (England)—The Convict Fury
Question, Sir Joseph Pease ; Answer, Sir William Harcourt *May* 22, 1254

Protection of Young Girls, Law relating to
Select Committee [Lords] nominated *May* 16 ; List of the Committee, 825

Public Health (Scotland) Act Amendment Bill (*Dr. Cameron, Mr. James Cowan, Mr. Fraser Mackintosh*)
c. Committee * ; Report *May* 4 [Bill 115]
Read 3° * *May* 9
l. Read 1ª * (*Earl of Fife*) *May* 11 (No. 84)
Read 2ª * *May* 19
Committee * ; Report *May* 22
Read 3ª * *June* 1

Public Offices Site Bill
(*Mr. Shaw Lefevre, Lord Frederick Cavendish*)
c. Read 2°, and committed to a Select Committee *May* 15, 802 [Bill 111]
Committee nominated *June* 1; List of the Committee, 1930

Public Schools (Scotland) Teachers Bill
(*Mr. Mundella, The Lord Advocate, Mr. Solicitor General for Scotland*)
c. Motion for Leave (*Mr. Mundella*) *May* 9, 353; Motion agreed to; Bill ordered; read 1°*
Read 2°, after short debate *May* 15 [Bill 153]

Pugh, Mr. L. P., *Cardiganshire*
India—Roorkee College, 99
Poor Removal (Ireland) (No. 2), 2R. 933
Supreme Court of Judicature Acts Amendment, Comm. 1590

Puleston, Mr. J. H., *Devonport*
Africa (South)—Cetewayo, Ex-King of Zululand—Future Position and Visit to England, 665
Ireland—Irish Policy of the Government—Release of Mr. Parnell and others, 672
Navy Estimates, 665, 666

Quarter Sessions Procedure (Amendment) Bill
(*Mr. Hastings, Mr. Richard Paget, Mr. Gurdon*)
c. Ordered; read 1° * *May* 23 [Bill 178]

Raikes, Right Hon. H. C., *Preston*
Church Patronage, 2R. 57
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 1, 697, 704, 706; Amendt. 707, 708; *cl.* 5, 766

Railways (Continuous Brakes) Bill [H.L.]
(*The Earl De La Warr*)
l. Moved, "That the House do now resolve itself into Committee" *May* 22, 1231
Previous question moved (*The Lord Colville of Culross*); after short debate, Previous question put, Whether the said question shall be now put? resolved in the negative

Railways—Standing Order 167
Question, Mr. Stuart-Wortley; Answer, Mr. Chamberlain *May* 25, 1610

Ramsay, Mr. J., *Falkirk, &c.*
Agricultural Holdings, Notices of Removal (Scotland), 663
Ballot Act Continuance and Amendment, 2R. 370
Board Schools (Scotland), 2R. 8, 36
Education Department—School Board Rates, 289
Poor Removal (Ireland) (No. 2), 2R. 918

Rankin, Mr. J., *Leominster*
Army (Auxiliary Forces)—Volunteer Corps—Travelling Allowances, 1933
State-Aided Emigration, 226

Rathbone, Mr. W., *Carnarvonshire*
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 4, 719
Prevention of Crime (Ireland), 2R. 974

Redesdale, Earl of (Chairman of Committees)
County Boundaries, Motion for an Address, 655
East and West India Dock Extension, Report, 1931

Redmond, Mr. J. E., *New Ross*
Customs and Inland Revenue Bill, 1882—Patent Mixtures of Coffee and Vegetable Matter, 671
England and France—The Channel Tunnel Scheme, 671
Ireland—Miscellaneous Questions
  Assassinations in Phœnix Park, Dublin—Captain Talbot, Chief of the Metropolitan Police, Dublin, 1709;—Special Police Patrols, 1602, 1603
  Prisons—Limerick Gaol — Detention of Letters, 951
  Royal Irish Constabulary—Police Patrols in Phœnix Park, Dublin, 1254;—Sub-Inspector Webb, 950, 951
Ireland—Protection of Person and Property Act, 1881—Miscellaneous Questions
  Hoare, Mr., 659
  O'Connor, Mr. E., 1090
  O'Mahony, Mr. H., 1251
Ireland, State of—Killarney, Disturbance at, 658;—Earl of Normanton's Tenantry, 1250
Parliament—Order of Business, 527
Prevention of Crime (Ireland), 2R. 996; Comm. 1652
Supply—Civil Services and Revenue Departments, 1196, 1198, 1209, 1214, 1221
  Report, Motion for Adjournment, 1392, 1394

Reed, Sir E. J., *Cardiff*
Army—Chelsea Hospital—Pensions, 1265
Navy—H.M.S. "Inflexible," 1266, 1599
  State of the Iron-Clads, 1090

Reid, Mr. R. T., *Hereford*
Prevention of Crime (Ireland), 2R. 984; Comm. *cl.* 1, 1762

Richard, Mr. H., *Merthyr Tydvil*
Church Patronage, 2R. 62

Richardson, Mr. J. N., *Armagh Co.*
Ireland—Irish Policy of the Government—Resignation of the Chief Secretary to the Lord Lieutenant, Personal Explanation, 199
Prevention of Crime (Ireland), 2R. 994

Richmond and Gordon, Duke of
County Boundaries, Motion for an Address, 655
Elementary Education, Res. 1079
Land Law (Ireland) Act, 1881—Irish Land Commission—"Fair Rents," 81, 82

Ritchie, Captain C. T., *Tower Hamlets*
Ballot Act Continuance and Amendment, 2R. 365
Customs Re-organization—New Warehousing Scheme—Promotion, 676
Ireland—Irish Policy of the Government—Release of Mr. Parnell and others, 675
Prevention of Crime (Ireland), Comm. 1577

River Floods Prevention—The Ouse and the Derwent—Legislation
Question, Mr. Leeman; Answer, Mr. Dodson *May* 12, 557

Rivers Conservancy and Floods Prevention Bill
Question, Mr. Duckham; Answer, Mr. Dodson *May* 19, 1092

Roads Provisional Order (Edinburgh) Bill
(*The Lord Advocate, Mr. Solicitor General for Scotland*)
c. Read 3°* *May* 3 [Bill 139]
l. Read 1^{a}* (*Lord Rosebery*) *May* 4 (No. 78)
Read 2^{a}* *May* 15

Rogers, Mr. J. E. Thorold, *Southwark*
Prevention of Crime (Ireland), Comm. *cl.* 1, 1889, 1890, 1892
Science and Art—The Orkney Sagas, 1407
Thames River Pollution, 1265

Rolls, Mr. J. A., *Monmouthshire*
Mineral Property—Transfers of Leases, 100

Rosebery, Earl of (Under Secretary of State for the Home Department)
Municipal Corporations (Unreformed), 2R. 816
Salvation Army, Motion for an Address, 824
Sunday Opening of National Museums and Galleries, 657

Round, Mr. J., *Essex, E.*
Army Estimates—Militia, Force of, &c. 627

Russell, Mr. C., *Dundalk*
Prevention of Crime (Ireland), Comm. 1467

Russell, Mr. G. W. E., *Aylesbury*
Prevention of Crime (Ireland), Comm. 1626

Russia
Persecution of the Jews, Question, Baron Henry De Worms; Answer, Sir Charles W. Dilke *May* 25, 1611
The Australian Colonies, Question, Observations, The Earl of Belmore; Reply, The Earl of Kimberley *May* 12, 547

Rylands, Mr. P., *Burnley*
Parliament—Business of the House—Half-past Twelve o'clock Rule—Appointment of Standing Committees, Res. 346
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 1, 711; *cl.* 4, 750, 751

St. Aubyn, Sir J., *Cornwall, W.*
Cyprus, Island of—The New Constitution—Status of the Jews, 92

Sale of Intoxicating Liquors on Sunday Bill (*Mr. Stevenson, Mr. Birley, Mr. William M'Arthur, Mr. Charles Wilson, Mr. Walter James, Mr. Charles Ross*)
c. Ordered; read 1°* *May* 24 [Bill 182]

Salisbury, Marquess of
Education Department—Elementary Education, England, 65
Egypt (Political Affairs), 650, 1771, 1772
Imprisonment for Contumacy, 2R. 813, 814
Ireland — Assassination of Lord Frederick Cavendish and Mr. Burke, Motion for Adjournment, 316
Irish Policy of the Government—New Chief Secretary to the Lord Lieutenant, 84;—Release of Mr. Parnell and others, 1246
Land Law Act, 1881—Irish Land Commission—"Fair Rents," 77
Railways (Continuous Brakes), Comm. 1241
Union of Benefices (London), Comm. *cl.* 9, 1228
Universities of Oxford and Cambridge Act, 1877 (Lincoln College Statutes), Motion for an Address, 542, 544

Salt, Mr. T., *Stafford*
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 4, Amendt. 717, 731, 748
Poor Removal (Ireland) (No. 2), 2R. 907
Vagrancy (England), 583

Salvation Army
Moved, "That an humble Address be presented to Her Majesty for, Copy of any authentic report that may exist of the proceedings in the case of the Queen against the Justices of the county of Southampton in the Court of Queen's Bench" (*The Earl Fortescue*) *May* 16, 818; after short debate, Motion withdrawn

Samuelson, Mr. B., *Banbury*
Parliamentary Elections (Corrupt and Illega Practices), Comm. *cl.* 5, 767

Samuelson, Mr. H. B., *Frome*
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 1, Amendt. 708, 709
Prevention of Crime (Ireland), Comm. *cl.* 1, 2044, 2045, 2046

School Boards Bill
(*Mr. Reginald Yorke, Colonel Kingscote*)
c. Bill withdrawn* *May* 4 [Bill 103]

Schreiber, Mr. C., *Poole*
Army—Autumn Manœuvres—First-Class Army Reserve, 98
Parliament—Business of the House, 679
Post Office—Letter Carriers, 86

Science and Art—The Orkney Sagas
Question, Mr. Thorold Rogers; Answer, Mr. Courtney *May* 23, 1407

SCLATER-BOOTH, Right Hon. G., *Hants, N*
Arrears of Rent (Ireland), 2R. Amendt. 1274, 1279, 1376
Education Department—School Board Rates, 274
Prevention of Crime (Ireland), Comm. *cl.* 1, 1928
Tithe Averages, 1612

Scotland
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c. Ordered; read 1° * *May* 3 [Bill 149]
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